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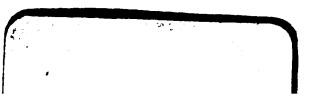
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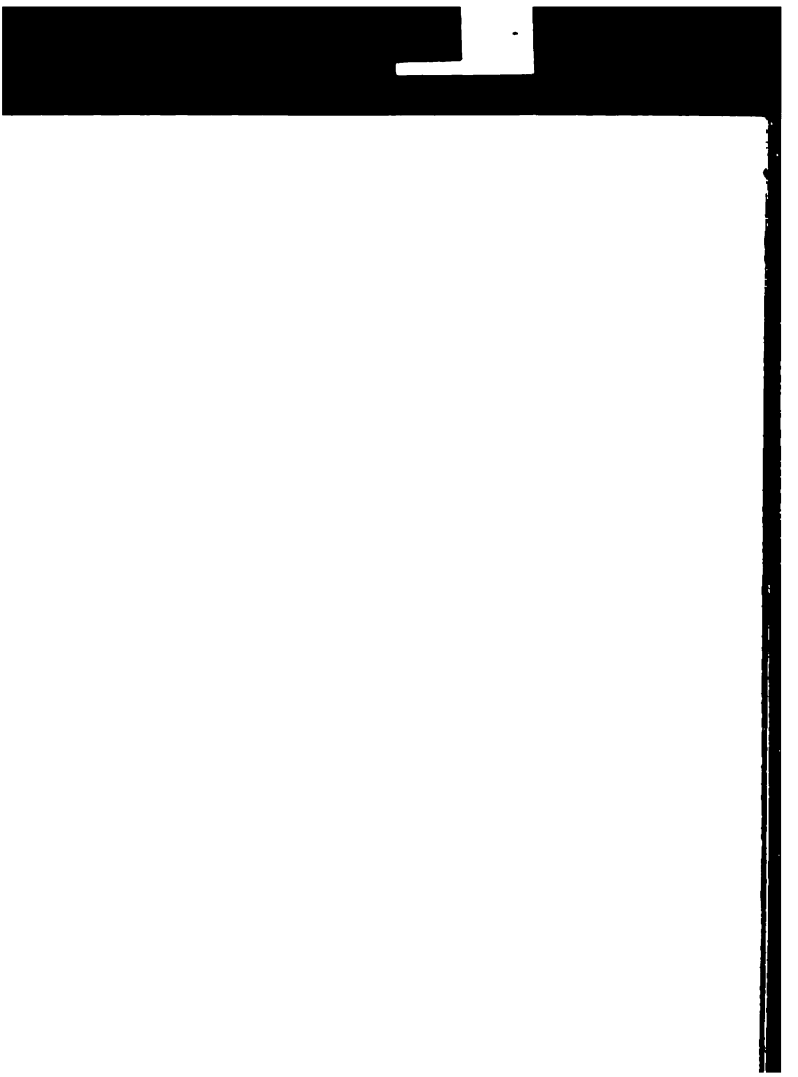
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1.14.8, 7.

THE

LAST DAYS OF THE CONSULATE.

40141

FROM THE FRENCH OF M. FAURIEL,

MEMBER OF THE ACADEMY OF INSCRIPTIONS, AND PROFESSOR OF FOREIGN LITERATURE AT THE SORBONNE.

EDITED, WITH AN INTRODUCTION,

BY

M. L. LALANNE.

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INTRODUCTION.

THE manuscript which I have been fortunately enabled to present to the public has a singular history.

Some years ago, Madame Tangier, the niece of M. Arago, deputed me to offer Condorcet's papers, which had come into her possession on the decease of her uncle, to the library of the Institute. Those papers had been given by Madame O'Connor, the only daughter of the famous Girondist, to M. Arago, when he was preparing an edition of Condorcet's works and composing his panegyric. In the process of classifying and arranging the numerous and very interesting packets, I met with an anonymous manuscript, without any general title, and whose subject bore no relation to the papers with which it was tied up. This manuscript, consisting of several copy-books, octavo size, together with separate sheets, notes, fragments, and extracts from newspapers of the year 1804, was divided into four chapters. The first was entitled "Historical sketch of the events which preceded and foreshadowed the destruction of the Republic, dating from the 1st Brumaire;" the second, "Notes on the principal events of the English conspiracy prior to the arrest of Moreau;" the fourth, which was the most extensive, and, unfortunately,

unfinished, "An historical picture of the trial of Georges and Moreau." I may mention, that Georges Cadoudal was known among the royalist party by his Christian name only; his letters and orders were signed General Georges. The third chapter was missing; a few fragments and notes indicated that it had never been written, and that it was to have treated of the death of the Duc d'Enghien, the royalist plot, and the creation of the Empire. The mention of Admiral Bruix, who died on the 25th of March, 1805, as still living, enabled me to assign a date to the manuscript. Here, then, was a history, not constructed, like so many histories, after the facts, either from distant and sometimes unfaithful recollections, or from second hand documents; but a history written at the very moment of the occurrences which it recorded.

The reading of this manuscript made a vivid impression upon me. The generous sentiments that pervaded it, the vigour of style, the elevation of ideas, the correctness of views which it revealed, struck me all the more forcibly, because I did not know of the existence of any analogous document of the same epoch, one in which the freedom of the press and individual liberty no longer existed, liberty of the tribunal was about to be suppressed, and when "the Great Nation" was reduced to the rare and too often lying communications which the Government deigned to make through the medium of newspapers entirely in its own hands.

I have said that the work was anonymous. Nothing [redacted] contents enabled me to discover its author, who [redacted] appeared upon the scene; it was, however, [redacted]nt that he belonged to that *élite* section of

Parisian society who would, perhaps, have been impelled by their dislike and weariness of the Directory to accept the 18th Brumaire, if, as he says, "Bonaparte had been prudent enough to take away from the French only that portion of liberty whose loss they were not capable of feeling or regretting," but who could not be resigned to see most of the precious things that had been won by the Revolution perish with the Republic, and who were enabled to preserve, and at a later period to revive the liberal traditions of the generation of '89. The handwriting was small, regular, and elegant; among other characteristic marks, the formation of the letter *l* rendered it easily recognizable. Notwithstanding all my researches among manuscripts, I had never met with this particular handwriting anywhere, and I had almost relinquished the hope of clearing up the mystery, when an entirely unforeseen circumstance dispelled it.

In 1883, after the death of the learned orientalist, M. Mohl, and that of his wife, (Miss Clarke,) the library of the Institute was put in possession of the papers of an intimate friend of theirs, whom Sainte-Beuve[1] called "one of the most original masters of the present time, an eminent critic, most ingenious and sagacious," and of whom M. Renan[2] wrote that he was "indisputably the man of our age who has put in circulation most ideas, inaugurated most branches of study, and traced out most new results in the order of historical investigation." I speak of Claude Fauriel, born at Saint-Étienne in 1772, died in 1844, member

[1] "Portraits Contemporains," 1846, vol. ii. pp. 512 and 536.
[2] *Revue des Deux Mondes*, 15th December, 1855, p. 1389.

of the Academy of Inscriptions, and professor of foreign literature at the Sorbonne.

Being charged with the arrangement of this mass of correspondence, notes, drafts, and fragments, I had already examined a score of boxes without having my attention arrested by anything,[3] when I came upon a page dating from the writer's youth, and in a hand entirely different from that of the documents which I had already inspected. It was the draft of a letter which he had addressed to his friend Villers in 1803. At the first glance I recognized so striking a resemblance, or, I should say, such complete identity with the writing of the manuscript, that doubt was not possible. Letter and manuscript came from the same hand, from the hand of Fauriel.

Then arose the questions, how did this manuscript come to be among the papers of the Condorcet family? how had Fauriel, whose life seemed to have been devoted solely to the study of the history and literature of the past[4] been led to write this narrative of contemporary events? lastly, why had he not finished and published it? I am about to offer a brief explanation of these points.

For many years an unbroken intimacy had subsisted between Fauriel and Madame de Condorcet. At

[3] My attention had, however, been awakened by an observation of M. St. Charavay, the skilful expert in autographs, to whom I had shown the manuscript. After a long examination he thought he recognized in it something of Fauriel's handwriting.

[4] His principal publications, "Chants populaires de la Grèce moderne," 1824; "Histoire de la Gaule Méridionale," 1836; "Histoire de la Croisade contre les Albigeois," 1837; "Histoire de la Littérature Provençale," 1846.

the death of the latter, in September, 1822,[5] they were still living in the same house, and their books and papers were in common like their existence. The manuscript, either because it was forgotten, or for some other cause, remained in the hands of Madame O'Connor, Condorcet's daughter, and by that circuitous route reached the library of the Institute.

Fauriel, an ardent student, but a slow writer, "always recoiled," as M. Renan says, "from the painful toil of composition."[6]

Only the indignation aroused in him by the melancholy spectacle of violence, baseness, and falsehood daily before his eyes, could tear him away from his favourite tasks; the irresistible longing to exhale his profound grief for lost liberty was needed to do that.[7]

He was also impelled by the remembrance of what

[5] On the 12th of September, 1822, M. Guizot wrote to Fauriel in reference to the death of Madame de Condorcet, "My poor friend, I did not hear until yesterday of the blow that has fallen upon you. I went to look for you at your own house, and at Cousin's. I was far from anticipating this misfortune; for some days past, on the contrary, I was easy, so that we did not send each day for news. My wife shares all my feelings, and wishes me to assure you that she does so. Adieu, my dear friend, I embrace you with a very sad heart."

[6] "Do not wear yourself out," wrote M. Guizot to him on the 15th of August, 1818, "in incessantly beginning over again what is very well done. You pass your life in sacrificing action to the hope of perfection, and the result is that while you satisfy yourself in seeking after the better, nobody profits by the good which you have found."

[7] I find the following passage in a letter addressed to him in 1800, by his friend Dr. Pariset, "What! your grief is not yet subdued! Your regrets are still as keen as ever, and you cannot accustom yourself to the things of this world. . . . You have not yet attained to the calm that is lent by despair. . . . All is a continuity among men, as it is in the laws of nature,

he had witnessed during more than two years. After having been a sub-lieutenant in the army of the Eastern Pyrenees, and secretary to Dugommier (1793), he became, through I know not what influence, secretary to Fouché, the Minister of Police. He resigned his post in May, 1802, notwithstanding the urgent entreaty of his patron.[8] He had flattered himself with the hope that the régime which he so heartily detested would not last long; he must have discovered his mistake very quickly; discouragement ensued, and he returned to his cherished studies in history and literature, no longer caring to finish a work which, he felt, was foredoomed not to see the light. Besides, had he finished it, he would have taken good care not to publish it under the Restoration. The royalists would have applauded his virulent attacks upon Bonaparte, and he, having always remained faithful to his republican convictions,[1] would never have consented to furnish arms to the enemies of the Revolution. The patriots, on the other hand, would have been much displeased at his warm defence of Moreau, who had made so miserable an end. It must also be added that after the death of Madame de Condorcet the manuscript was no longer in his possession, and that he may have thought it was lost.

When he began to draw up this narrative, Fauriel was, as he says himself, so circumstanced, "that he

and when great injustices are practised with impunity in our wretched species, I defy you to say whether the culprit or the witness is to be condemned the most." This letter and those of M. Guizot are preserved in the library of the Institute.

[8] "You are mad," he said; "this is the very time to stay where you are. We are coming in." "Sainte-Beuve," p. 492.

[1] See "Sainte-Beuve," p. 489.

could not know everything, and to inform himself of the truth was perhaps the greatest of all dangers next to telling it." While seeking the most exact information possible, he had to avoid the slightest imprudence which, with the network of espionage in which Parisian society was surrounded by the Imperial régime, would inevitably have brought the police upon him; thus he had confided his project and communicated his manuscript to only a few trustworthy persons whose opinion might be of use to him. Among these confidants I think I may include in the very first line with Madame de Condorcet, Madame de Staël,[2] and Benjamin Constant,[3] whose joint political relations and literary tastes made it easy for them to supply him with valuable information and give him useful advice. He received very numerous remarks from them, both verbally and in writing, which he has jotted down on the margin; sometimes there are additions confirmatory of the statements in the text, or indications of facts omitted or requiring development;[4] sometimes corrections of

[2] Madame de Condorcet's circle was as hostile to the Consular Government as that of Madame de Staël. "All that," said Bonaparte, at the end of a discussion with Admiral Truquet, "does to talk of at Madame de Condorcet's or Maillagarat's." "Mémoires sur le Consulat," 1827, p. 34.

[3] On certain pages of the fourth chapter there are some notes written in pencil, and traced over in ink, which are not in Fauriel's hand. The large, loose writing resembles, and most probably, is that of Benjamin Constant.

[4] These indications are in many instances very brief; one, which I have not retained, contains only these words, "Queen Matilda's Tapestry," and I had some trouble to make out their meaning. "Queen Matilda's Tapestry" was the name of a play (*pièce de circonstance*), written to order for the Government, apropos of the famous project of the invasion of England. Its authors were Barré, Radot, and Desfontaines, and it was acted from the 23rd Nivôse to the 23rd Germinal, year XII., that is to say, for two months and a half.

style, but very rarely rectifications. I have reproduced only the most important of the annotations, and have taken care to distinguish them from my own by the words, "marginal note."

Whoever his confidants were, they kept his secret so faithfully that not one of the friends who survived him appear to have heard of this work, which exhibits his ability in quite a new light; not a word of allusion to it occurs in the numerous letters of his correspondents which I have had in my hands.

The first chapter, "Historical sketch of the events which preceded and foreshadowed the destruction of the Republic, dating from the 18th Brumaire," is a document of great merit. I do not think that so firm a hand has yet depicted the political situation of France, the disposition of men's minds after "that famous day, of which almost all those who had co-operated in it repented themselves on the morrow," and the tortuous manœuvres of Bonaparte to attain that supreme power which, from this time forth, Fauriel's sagacity had foreseen would be fatal to liberty, "without securing to France the sole good of an enslaved people, repose." I wish particularly to point out the picture of the sitting of the Senate in which the prolongation of the Consulate to twenty years was voted, whereupon Bonaparte, in order to elude that vote, had recourse to a plebiscitum to get himself named Consul for life, "knowing how easy it is to make the exercise of the national sovereignty by an already enslaved people only a further resource for tyranny, and an additional mockery of liberty." A profound truth, which we

too, like our fathers, have learned at our own expense.

The second chapter, very modestly entitled "Notes on the principal events of the English conspiracy prior to the arrest of Moreau," contains a number of highly interesting facts and views. After having related the results of the rupture with England, Fauriel describes in a very striking manner the state of the parties into which the nation was divided; the Royalists, the Jacobins, "who thought they loved and recognized liberty because they were ready to revolt against tyranny," and finally, the Republicans, who, like the others, were without leaders, but who might have found support in the Senate and the army. Valuable details of the organization of the police are succeeded by a narrative (rather too diffuse, perhaps,) of the exploits of a miserable schemer, named Mehée, who, in concert with Bonaparte, contrived to mystify both the English Government and the Royalist party in an extraordinary way. Then the author relates the origin and development of the conspiracy of Georges Cadoudal and Pichegru, and the manœuvres of the police to compromise Moreau, the only man whose influence and popularity the First Consul had to dread.[5]

[5] Bonaparte hastened to apprise the generals in command of the different corps of Moreau's arrest. On the 29th Pluviôse, he writes to General Soult that Moreau "had decided on making Pichegru come to Paris, where he had seen him four times, and also Georges." These four visits to Georges are reduced to two in a letter written on the same day to General Davoust ("Correspondance de Napoleon I.," vol. ix. pp. 305, 321). Every word in the letter to Soult is a falsehood. Not only had Moreau nothing to do with Pichegru's return, but he was so little known to Georges that the latter, when they were

In the last pages of this chapter, when he is just about to begin a narrative in which "the striking scenes, the unlooked-for catastrophes which abound in history will not be wanting," Fauriel dwells upon the difficulties of writing contemporary history, the many obstacles to the just discernment of truth, that present themselves, and he concludes with the following sentence, which depicts the sincerity of the historian: "After all possible care has been taken to preserve myself from errors, only one duty will remain for me to fulfil, that will be to make known the motives or the feeling by which my judgment on the facts shall have been dictated, so that those who will not have shared my feelings and my ideas may see the cause of my errors, and deduce, as they think fit, other consequences from the same facts."

I have previously said that the third chapter was not written, and I ask leave to add a few words to the pages which I have had to put together in order to connect the preceding with the following chapter. The archives of the Prefecture of Police, from whence I have derived several interesting particulars,[6] would, no doubt, have supplied more than one concerning the Duc d'Enghien, had not the two boxes containing the documents relating to it, been taken away, by order, thirty years ago, in spite of the strong opposition of the keeper of the archives, who was well aware that he should never see them again. One sad detail was imparted to us. There still remained among the

confined in the Temple, begged a gendarme to point out the general to him.

[6] I beg to offer my best thanks to M. Charpentier in the first place, and secondly to M. Abel Peyret, his successor, for the assistance which they rendered me in my researches.

papers a ring which the unhappy prince had entrusted to one of the persons present at his execution, to be transmitted, with a lock of his hair and a letter, to the Princesse de Rohan.[7]

The remembrance of this assassination hung heavily over the whole life of Napoleon. He said, on seeing General Hullin, who had presided at the court-martial, "His presence annoys me. I don't like what he recalls to me." Afterwards at St. Helena, he constantly reverted to the topic, now trying to excuse himself, and again declaring, as he did in his will, that, "under similar circumstances he would do the same again," and this time he was certainly sincere, because he had never formerly concealed that the death of the prince and the trial of Moreau "had served him in the accomplishment of the work he had planned long before;" but where he did not tell the truth was in uttering the following sentence, recorded n the "Mémorial de Sainte-Hélène:" "As for the different oppositions (*sic*) with which I met, and the numerous solicitations that were addressed to me, as report said at the time, nothing is more false. These things have been invented only to render me more odious."

Nothing is more false![8] I find the following in a report by a peace officer named Chabanety, from which I have given an extract elsewhere.

"Politicians are endeavouring to interpret the motives of Senator Lucien's journey. They quote

[7] "Savary, who was present at the execution, showed these three articles to Madame Bonaparte. I do not know whether the last behests of the unfortunate prince were fulfilled." "Mémoires de Madame de Rémusat," vol. i. p. 33.

[8] See Madame de Rémusat on the intervention of Joséphine.

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. some of the sittings, brings to
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in which Louis Picot, the servant
the indignation of the spectators
ands mutilated by torture, and the
the address of his advocate, who
fear of contradiction or challenge,

[4] be added to the facts pointed out by
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made me suffer," he said to the judges,
to suffer" ("Procès," vol. iv. p. 218). I
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She fell so ill that she could not be brought
would have been acquitted like her

vii. p. 216.

as its decisive cause an anecdote concerning the senator and his brother the First Consul. When the Commission of Vincennes reported against the Duc d'Enghien, Lucien went to the First Consul, and asked him how he meant to decide upon the fate of the young man? 'As policy decides,' was the answer of the First Consul. Lucien, regarding these words as a sentence of death, instantly drew out of his pocket a valuable watch, flung it on the ground, and trod it to pieces, saying to the First Consul, 'Very well, one day you will be broken to pieces like that.'" On the 1st of April, 1804, eleven days after this scene, only a part of which the police-agent relates to us, Lucien, being exiled, quitted Paris to establish himself at Rome.[1]

From the beginning of the trial to which the name of Moreau lent so much importance both at home and abroad, the Government took the utmost pains to keep back from the public as much as possible of what was passing in the court. The people had to be satisfied with what they could learn from the mutilated and perverted reports sent by authority to the newspapers, which were not permitted to insert any others.[2]

The sentence was no sooner pronounced than an order was issued by Dubois, Prefect of Police, forbidding the sale or distribution of any writings relating to the condemned persons. Hence we may

[1] See "Lucien et les Mémoires," by M. Young, on the subject of his departure from Paris.

[2] From letters preserved at the archives of the Prefecture of Police, it was Citizen Bouchesiche, the head of the fifth division, who was employed to make these communications to the newspapers.

understand how great is the interest of the fourth and last chapters, in which Fauriel, in relating the proceedings at some of the sittings, brings to light certain odious deeds which seem to have passed into oblivion, and which M. Thiers, actuated by his excessive indulgence for the men and things of the Empire, has not thought proper to mention. Unfortunately he has not been content with keeping silence upon the iniquities committed in the instruction,[3] and the cruelties inflicted not only upon the accused, but upon witnesses, in order to extract avowals or revelations from them.[4]

In consequence of his having neglected to consult the official publications, he has departed so widely from the truth in a certain passage that I cannot refrain from reconstructing it. The reader will peruse the dramatic scene in which Louis Picot, the servant of Georges, aroused the indignation of the spectators by displaying his hands mutilated by torture, and the "Procès" contains the address of his advocate, who exclaimed, without fear of contradiction or challenge,

[3] The following may be added to the facts pointed out by Fauriel. Caron, one of the accused, who was acquitted, had been placed in a dungeon at the Abbaye twenty feet underground. "They have made me suffer," he said to the judges, "all that it is possible to suffer" ("Procès," vol. iv. p. 218). I have found a touching letter from the woman Verdot to the Prefect of Police, in the box labelled *Répertoire de Pièces Diverses*, among the Cadoudal documents. She tells him that she is in the second month of pregnancy, fed on bread and water without sufficient clothing, and unable to rest in consequence of the cold. She prays only that she may be released from the "secret" detention. She fell so ill that she could not be brought to trial; besides she would have been acquitted like her husband.

[4] See "Procès," vol. vii. p. 216.

"Who could ever believe that among a people, formerly jealous of its rights to the point of fury, the personal liberty of citizens should have fallen into such contempt, that Picot has been subjected to treatment such as even in Rome was inflicted only upon the meanest slaves?" Now, M. Thiers says: "At first, Picot would not say anything, but afterwards he was by degrees *induced to speak*. . . . He was questioned anew, and *by putting much gentleness into it*, they ended by bringing him to an entire openness." Let not, however, these cruelties be imputed—as the advocate imputed them with an intention easily understood—to the zeal of some subordinate agent.[5] No, they were commanded by the supreme heads of justice, and the responsibility for them attaches to a still more exalted personage. "*What you have ordered* with respect to the accused man, Picot, has been executed," writes Theuriot, the instructing judge, to Réal, the assistant of the Grand Judge. "He has borne it all with criminal resignation. He is hardened in crime and fanaticism. I have left him to-day to his sufferings and his solitude. I will have the work begun again to-morrow. He has Georges' secret, and he must give it up."[6] I should have supposed that Fauriel was carried away too far by his own feelings when he says that the strange declaration made by Bouvet de Lozier, in circumstances still more strange, was torn from him by tor-

[5] "Who knows to what an extent the daring of a few subordinates may be carried in the darkness of the prisons?" "Procès."

[6] See Cretineau-Joly, "Histoire de la Vendée Militaire," 1842, vol. iv. p. 185.

ture, if I had not found the following characteristic sentence in a report addressed to Bonaparte, by Dubois: "Bouvet de Lozier has persisted in his declarations, but *it is certain* that he will be brought to positive avowals."[7] By what means? The *gentle* processes adopted in Picot's case enable us to guess.

Among other facts of which M. Thiers has neglected to speak, there is one that I am absolutely obliged to refer to, in order to give its true complexion to the prosecution instituted against Moreau. The accusation of conspiracy allowed Bonaparte to gratify his private malice and to strike at generals who had had "the easy misfortune to displease him," and against whom, otherwise, not the smallest grievance could be found. General Souham[8] and his wife were arrested, "suspected," says the warrant for their arrest, "of conspiracy against the State with Generals Pichegru, Moreau, and the brigand Georges." Generals Ramel[9] and Liébert met with the same fate, and in the trial there was no more question of them than of the officers attached to Moreau's person, and imprisoned almost as soon as he.[1] The most ill-treated among them was young Normant,[2] whose intelligence and

[7] Archives of the Prefecture of Police, box labelled *Surveillance des barrières. Liasse des interrogatoires pour le P.C.*

[8] He commanded a division of the army of Brest; he was made, or allowed, to come to Paris, and arrested at the barrier.

[9] General Ramel was assassinated at Toulouse, in 1815. He was treated with the utmost severity. He had received a severe wound at St. Domingo, which was still unhealed, and he was obliged to write to the Prefect of Police to complain that it had not been dressed for thirty-six hours.

[1] Among others, Captain de la Chasse de Périgny, his aide-de-camp.

[2] J. F. Gaspard Normant, born at Nantes in 1774; he had been a deputy to the Council of the Five Hundred.

loyalty are lauded by Fauriel. On the day of his arrest (26th Pluviôse) Dubois wrote to the First Consul, "His papers have been examined with the greatest care, and contain only newspapers and memoranda relating to the armies of the Rhine and Italy. He has declared that he has no intimate relations except with Generals Moreau, Bernadotte, and Macdonald. At the moment of his arrest he indulged in violent language against the Government and its actions. He uttered a pompous eulogy of Moreau and said that it was an honour to him to share what he called his proscription."

The violent language and the pompous eulogy were not forgiven. When Normant recovered his liberty after a detention of more than four months, he was struck off the roll of the army, and that of the Legion of Honour, of which he was an officer.

On one point, however, Fauriel and M. Thiers are in unison; it is when they speak of the agitation, the trouble, and the consternation which reigned in Paris during the pursuit of the conspirators. Bonaparte, who knew so well how to

"Faire taire la loi dans le bruit des alarmes,"

left nothing undone to spread terror amid the population. The continual movement of troops inside the city, closed gates, sentinels posted along the walls at distances of fifty feet, and shooting "brigands," who were probably inoffensive citizens, arrests, searches, and domiciliary visits made everywhere, at all hours, and upon the slightest accusations, recalled the worst days of the Terror to the inhabitants of Paris. At the moment of the trial, the ferment, especially in the

army was intense. The Prefect of Police received threatening or ironical letters every day; placards in manuscript were posted every night.[3] One bore the anagram of Bonaparte, "*Nabot à peur.*" Another, "Rope of honour awarded to the brave men who have distinguished themselves by the arrest of Georges;" a third, "Moreau innocent; the friend of the people, and the father of the soldiers in chains! Bonaparte, a foreigner, a Corsican, become a usurper and tyrant. Frenchmen, judge!" A third, probably seized in a barrack, was a pen-and-ink drawing representing the head of Bonaparte, crowned, and resting upon four lion's claws; by his side a lamp-post with its halter. Lastly, on the back of an eight of hearts was written in big letters, "Soldiers who have served under Moreau, you are cowards if you let him mount the scaffold."[4]

One last feature of the transaction. No sooner was Moreau arrested, than Bonaparte's creatures went about everywhere repeating that his complicity with Georges was proved and his condemnation certain. The instruction and the proceedings at the trial having by degrees dispelled this hope, they endeavoured to reconstruct it on the non-revelation of

[3] These letters and placards are preserved in the box labelled *Signalements.*

[4] I will add here a small particular hitherto completely unknown, and just communicated to me by a friend. "In 1826, some men were talking together in a studio of the influence of politics upon costume, of the Bolivar and Murillo hats, and the Quiroga cloaks. 'Do you know, my young friends,' said old Chéry, a pupil of Kien, 'do you know why the lappel of your coats is separated from the collar by that cut-out, three-pointed space forming an M? That dates from Moreau's trial. His partisans brought this detail of costume, which they had made a rallying-sign, into fashion."

conspiracy. "Savary," says Madame de Rémusat (vol. i. p. 305), "having questioned my husband on this subject, and the latter having answered that non-revelation was not a crime which would involve the death penalty, Savary said, 'In that case, the Grand Judge has made us commit a great blunder; it would have been better to resort to a military commission.'" That was indeed a more safe and docile instrument than a tribunal, even though carefully selected. Savary knew it well, he, who had but just quitted the bloody ditch at Vincennes.

This final chapter, in which so many moving scenes are depicted, was not finished. The manuscript breaks off in the middle of a sentence, after Moreau's speech before the court. I have had to go on with the narrative of this lamentable tragedy to its close, and the documents of which I have availed myself will not, I think, be devoid of interest for the reader.

I believe that I have not exaggerated the importance and the value of this work, which will, I hope, add to the reputation of Fauriel. It is pervaded by the tone of history in the highest acceptation of that word. In vain would the reader seek for a single scandalous anecdote in its pages, and yet, how many must the former secretary of Fouché have heard, concerning the personages whom he brings upon the scene! But, on the other hand, we frequently come upon the expression of those strong dislikes so dear to Alkestis. What singularly happy phrases are those in which he speaks of "Bonaparte's intrepidity to praise," of "his skill in using men, who seemed to degrade themselves for the first time," and of Joséphine

as having "preserved of the virtues of her sex, that of compassion for the woes of others." What a flagellation is there in his reference to the servility of Fontanes, and of Cambacéres, "the man most fitting to carry gravity into baseness." His portrait of Fouché, of that man who, according to M. Thiers, was "neither good nor bad," is worthy of the pen of our best writers. I will also instance the dramatic picture of certain scenes of the trial, and the page—of another order of merit—in which he describes the funeral of Pichegru, in whose suicide he, in common with almost all his contemporaries, refused to believe.

The task of annotation which I have executed was an onerous one. I have endeavoured as much as possible to compare and complete the dicta of the historian by means either of the journals and rare documents of the time, or of others taken from the archives of the Prefecture of Police. The Memoirs of Madame de Rémusat have been of great use to me. The two writers, living at the same time, but moving in different social spheres and belonging to different schools of opinion, are in such complete accord on certain facts,[5] that Fauriel's book will henceforth serve in its turn as a confirmation of the Memoirs, and a commentary upon them.

A last word. The manuscript, as I have said, did

[5] Fauriel speaks of "the air of exultation and triumph with which Bonaparte established himself in the apartments of the unfortunate Louis XVI." We read in Madame de Rémusat's "Mémoires," vol. i. p. 170, "I heard from his wife that on the day when he thought fit to establish himself in the Tuileries, he said to her, laughing, 'Come, my little Créole, come and put yourself into the bed of your masters.'"

not bear any general title. That which I have adopted, "The Last Days of the Consulate," appears to me to convey a sufficiently exact idea of the subject-matter of the work in a concise form.

L. L.

THE

LAST DAYS OF THE CONSULATE.

CHAPTER I.

A SKETCH OF THE EVENTS WHICH PRECEDED AND FORESHADOWED THE DESTRUCTION OF THE REPUBLIC, DATING FROM THE 18TH BRUMAIRE.

BEFORE I enter into the details of those events which I purpose to narrate, I think it well to give a brief summary of preceding circumstances, whose consequence and complement they were. In order to do this I must revert to the 18th Brumaire, year VIII., when, by a sudden change of position and rôle, Bonaparte passed from the headship of the army to that of the nation. As, however, I can only give a sketch of a picture which would need to be vast and various were it to portray all the truth, I shall limit myself to such features of the whole as particularly suit my purpose. I am not qualified or disposed to write a history of the government of Bonaparte, considered as a whole, and for its entire duration; but I shall endeavour to point out the rapid progress of his elevation from the consulate to the empire; and I shall try to detach from the general aspect of his conduct the most manifest tokens and the

most curious phases of his project. This was to annihilate the Republic, and force the French Revolution back to a point at which there should remain nought but the recollection of its misfortunes and its crimes.

The power upon which Bonaparte seized on the 18th Brumaire, although it was speedily placed, to all appearance, under regular and constitutional forms, was, in reality, and by the very nature of the circumstances amid which it had arisen, a power without limits and without counterpoise. It was acknowledged, by those who had conspired to establish it, to be a sort of dictatorship; but a dictatorship all the more dangerous to liberty on account of the care that had been taken to disguise its nature and to conceal its name; because there existed only one man held capable of undertaking it, and that man was, or might believe himself to be, master of the army, which had now become one of the powers of the State, and was indeed the greatest of them all, since the others had failed to do their duty and broken their pledges. The danger culminated in the fact that the French had so much cause for displeasure with the Directory and the two Legislative Councils, that they were ready to yield a joyful submission to any government which, while securing them repose, would have been sufficiently prudent to deprive them of only that portion of liberty whose loss they were incapable of feeling or regretting. On what a pinnacle of fame in the memory of nations might that man have stood who, invested with unlimited power at a period when it had become so easy to usurp (at least temporarily) the rights of a great people, had made it his pride and

glory to respect them ; who had taken no advantage of the exhaustion and the woes of his fellow-citizens save to teach them to be free.[1]

Let us return to Bonaparte. We may safely presume that his first thought on attaining supreme power was, if not to transmit it as an inheritance to his family, at least to keep it securely in his own hands during his lifetime, and to render it independent of all those forms which were regarded by the opinion that prevailed at that time as securities for public liberty.

The first individual act of his policy was to write to the King of England, to the Emperor of Austria, and to the Tsar of Russia—the only European sovereigns who were as yet in arms against France—making proposals of peace to them. His secret intention was to procure their assent by offering them conditions equally favourable to their interests and his own views. In order to get hold of them for the purposes of his personal ambition, he would have sacrificed those results of the French Revolution, which they regarded with the greatest aversion and alarm.

His offers and insinuations succeeded with the Russian Tsar, Paul ;[2] they were set aside with prudent

[1] [Marginal note.] "Point out that, although at first his views upon the use which he might make of his position were not fixed, and could not be, they were from the first moment opposed to the Republic."

[2] [Marg. note.] "He insinuated in his letter that the throne of France would be restored to the Bourbons, because the example of the dethronement of one king might readily become dangerous to the others. As for himself, he gave it to be understood a throne in Italy would suffice for him. Thenceforth the Bourbons seemed to keep themselves more quiet in their several retreats."

The *Moniteur*, which had been since the 7th Nivôse the only official journal, gives on the 26th (1) the letter of Talleyrand, "Minister of Exterior Relations" (as the Foreign Affairs'

reserve by the Cabinet of Vienna, and disdainfully rejected by the Cabinet of St. James's; so that instead of coming into the immediate enjoyment of the kind of authority to which he aspired, and obtaining the assent and favour of the foreign powers against the French, he was obliged to arouse all the remaining strength and energy of the latter against the former. The necessity for continuing the war involved the double vexation to Bonaparte of delay in carrying out his plans, and the exposure of them to various hazards. His hopes were, however, speedily encouraged by the rapidity and the decisive importance of his own victories in Italy, and those of Moreau in Germany, in the campaign of the year VIII., so that he began to prepare for their complete fulfilment.

On the momentous 18th Brumaire itself, suspicion, uneasiness, and dark presentiments of the character and intentions of Bonaparte had not been wanting. The alternate insolence and weakness which he displayed during the day, the ridiculous assurance with which he proclaimed himself the God of Fortune and Victory in the presence of the Council of the Elders, who were entirely devoted to him,[3] his agitation

Minister was then called) to Lord Granville, Secretary of State for Foreign Affairs of Great Britain, forwarding to him Bonaparte's letter to George III.; (2) Bonaparte's letter; (3) Lord Granville's reply to Talleyrand; (4) the diplomatic note in answer to Bonaparte's letter. The text of these documents is preceded in the official journal by a sentence which is somewhat strangely worded: "The following documents," says the *Moniteur*, "*whose authority we do not guarantee*, are extracted from the English journal *The Morning Chronicle*."

Bonaparte's letters to George III. and the Emperor of Austria are published in vol. vi., pp. 46 and 47, of the "Correspondance de Napoléon." The letter to the Tsar is not given.

[3] [Marg. note.] "This to be rectified. The Council of the Elders included men who were frightened at what was happening, and foresaw all that would result from it."

and pallor when a few members of the Council of Five Hundred vainly but clamorously opposed him, the haste with which he signed, two days later, the decree for the transportation of fifty of those same representatives of the French nation whom he had expelled by force of arms, were so many rays of light thrown upon the secret recesses of his soul. The man who had conducted himself in such a way as this could hardly continue to appear heroic in the vulgar sense of that term, and certainly was not the man whom France, and perhaps humanity itself, were awaiting, that he might ameliorate and ennoble them.

The first circumstance tending to enlighten observant minds upon the kind of ambition entertained by Bonaparte, and upon the nature of his intentions, occurred shortly after the 18th Brumaire, and deserves remembrance. I allude to the transfer of the seat of the Consular Government and the residence of the First Consul from the Palace of the Luxembourg to that of the Tuileries.[4]

[4] The following appears in the *Publiciste* of the first Ventôse, year VIII., under the heading of,—

"Paris, the 30th Pluviôse.

"The acceptance of the Constitution was proclaimed yesterday in Paris. The Government was installed at the Tuileries to-day with great pomp. Close upon 3000 men of the different arms were paraded; the magnificent uniform of the Consuls' Guard, commanded by General Murat, was especially remarked. The *cortége*, composed of about forty carriages, was formed at the Palace of the Luxembourg, and set out at one o'clock precisely. The fine weather enabled an immense crowd to circulate in the streets, on the quays, around the Tuileries, and especially on the bridge formerly called "Royal." The procession was headed by a picket of heavy cavalry. After this came the carriage of the Councillors of State, then a military band, the staff of the seventeenth military division, and all the general officers at present in Paris, the ministers' carriages, the consuls' carriage drawn by ten white

So much trouble was taken to turn so ordinary an occurrence as a change of abode into a pompous ceremony, that it seemed to reveal something more than Bonaparte's liking for an ostentatious display of his person and his power. Some special features of the occasion prevented all this parade about an occurrence which did not call for any, from being simply and solely ridiculous. It was remarked that Bonaparte had been careful to have certain inscriptions on the walls and in the immediate vicinity of the Tuileries erased; these inscriptions[1] commemorated the terrible day on which the old palace of the kings had been besieged and invaded by the popular fury, and the throne of the Capets, long dishonoured by their vices, and ill-defended by the arms of the last of them, had been riotously overthrown. The observers were struck by the air of exultation and triumph with which he installed himself in the apartments of the unfortunate Louis XVI., a place of abode which a First Magistrate of the French Republic, sufficiently worthy of that title to feel no ambition for any other, could hardly have chosen without reluctance, and, perhaps, without impropriety.

I shall not, however, insist farther upon an indication which may seem to be no more than a presenti-

horses, the staff of the Consular Guard, the Mounted Guard, &c." The *Moniteur* does not give these details. The short article which records the ceremony ends as follows: "The public displayed their satisfaction by loud applause; hope and joy shone in every face." (*Moniteur* of the 1st Ventôse, p. 602, col. 3.)

[1] A very characteristic inscription on the wall of one of the guard-rooms in the courtyard of the Tuileries was forgotten on this occasion, and suffered to remain. The words were visible to the *cortége* as it passed: "Royalty has been abolished in France and shall never be revived."

ment, or a recollection transformed by enmity into presentiment, but pass on to one which was more positive and more important. Towards the close of year VIII. a pamphlet entitled "A Parallel between Cromwell and Bonaparte" appeared and attracted great attention.[6] The Protector of England was represented by the writer as too completely Bonaparte's inferior in military and political genius to be worthy of comparison with him. A similar judgment was carelessly passed upon General Monk. Only the Roman Dictator was held worthy of such honour, not as a statesman, but as a warrior. The conclusion drawn by this strange parallel was that nothing could so greatly conduce to the welfare and glory of the French nation as the making of the consulate hereditary in the family of Bonaparte.

In Paris this pamphlet was distributed to the members of the various governmental offices; it was addressed to all the civil functionaries of the departments, and, if I am not mistaken, to the military

[6] The following is the exact title of this pamphlet, which Bourrienne and Fouché, as well as Fauriel, declare to have been written by Fontanes: "Parallèle entre César, Cromwell, Monck, et Bonaparte, traduit de l'Anglais." Barbier and Quérard erroneously attribute it to Lacretelle.

"Immediately after the appearance of this pamphlet," says Bourrienne, "the prefects nearest to Paris sent copies of it to the First Consul, with complaints of the ill effects which it was producing." ("Mémoires," vol. iv., pp. 216—219.) The prefects who were at the greatest distance did the same; for instance, Count d'Eymar, Prefect of Léman. See his correspondence, published by M. Gustave Revilliod in his very interesting volume, "Portraits et Croquis" (Part I., p. 380 and following), Geneva, 1882.

An animated scene took place between Bonaparte and Admiral Truguet, with reference to this pamphlet, at a sitting of the Council of State, after the "attempt" of Nivôse. (See Bourrienne's "Mémoires," vol. iv., p. 209.)

authorities as well. These distributions were made in profusion and without any mystery.

There was but one authority in France powerful enough to risk such a proceeding with impunity; that was the same authority which governed the Republic. The pamphlet in question had been written at the instigation of Bonaparte,[7] through the intervention of his brother Lucien, then Minister of the Interior; and it was the work of Fontanes, who was at that time merely the secret agent of Lucien Bonaparte.

From these data it was easy to discern the motive and to appreciate the spirit of the "Parallel." How, indeed, should Cromwell be a great man to the thinking of Bonaparte; Cromwell, who had contented himself with playing a great[8] part under a title unknown until he bore it, and exercising a power more than royal with external forms of austere simplicity?[9] Monk must have appeared contemptible to him, not so much because he betrayed his party, as because he employed greater resources and more skilful intrigue to restore their lost throne to the Stuarts, than would have sufficed to seat himself securely on it.

Besides, there was still a class of persons who persisted in imputing to Bonaparte an intention of following in the footsteps of Monk; therefore the expression of his contempt for that English general was neither gratuitous nor superfluous. As for the

[7] According to Fouché, Bonaparte himself revised it.

[8] [Marg. note.] "It was the leading part (*premier rôle*) of his time."

[9] [Marg. note.] "He had promoted this belief, and the indirect warning that resulted from the share which he had taken in this pamphlet ought to have undeceived the foreign powers, perhaps even more effectually than it ought to have alarmed France."

Roman Dictator, his only shortcoming in the eyes of the French Consul was the failure of his project of reigning over the Romans.

At this epoch the French believed themselves still free; or, to speak more correctly, they were still able to ignore the excess of the danger which threatened their liberty. Fontanes' pamphlet was received with much surprise and some uneasiness. Only the few who were acquainted with its origin were capable of perceiving all that it foreboded for the future. The many could only regard it as the production of either an indiscreet flatterer or an astute enemy of the First Consul. Bonaparte did not think proper to insist upon this first revelation of his most private and cherished thoughts. He at once made Fouché vehemently repudiate the pamphlet whose publication and distribution in every part of the Republic he had secretly authorized. Had not the period been one at which a tendency towards servitude was already developing itself in the nation, the ambitious man who ventured to utter so serious a threat against public liberty beforehand would have had less chance of carrying it into effect. Bonaparte found his advantage in it; those whose duty it was to resist him became accustomed to the consciousness of their powerlessness and weakness, and the more clearly the nature of his enterprises was proved, the less did they dream of opposing them.

The continental peace, that glorious and necessary result of the latest victories of Moreau,[1] was signed at

[1] It was said everywhere that "Bonaparte had triumphed for himself alone, and Moreau for peace." (Fouché's "Mémoires," vol. i., p. 226.)

Lunéville at the beginning of year IX.[2] From that moment Bonaparte no longer concealed his intention to propose that a change should be made in the constitution of the State, although he did not as yet avow either the motive or the precise object of that change. Certain persons who were in his confidence to some extent—two or three of his ministers among the number—allowed what they knew of his mind on this point to leak out, sometimes of set purpose, but occasionally by inadvertence. But whether they were really deceived about his views, or whether they feigned to believe them pure and noble, in order to secure a colourable pretext for seconding them—a question that cannot be decided—at all events, those persons complacently hinted that at last the French people were about to be endowed with a constitution worthy of them and of the genius of their chief. These hints, which were at first faint and mysterious, developed into a popular rumour, which found loud utterance when the 14th of July was approaching.[3] Bonaparte, who was not ready to justify the rumour, had it indirectly contradicted, or, at least, allowed a contradiction to be promulgated.

Nearly two years had gone by, and still Bonaparte was, or appeared to be, only the elective and temporary head of a great Republic. This was because the event on which he had chiefly founded his plan and his hopes had not yet occurred. Peace with England had not been made, and to that peace the nation attached the greatest value, because the revival

[2] 9th of February, 1801.

[3] It will be remembered that a national fête, in celebration of the taking of the Bastille, had been instituted.

of commerce and industry largely depended upon it, and it would afford the soundest security for peace on the Continent. The First Consul had, therefore, deferred the entire manifestation of his views until the hour at which this much-desired peace should be proclaimed, being convinced that the title of "pacificator" being his, it would authorize any other titles that he might wish to add to it, and that the French people would be too happy to regain repose at the cost of all the sacrifices and all the efforts they had made to acquire liberty.

The preliminaries of peace with England were signed in London at the beginning of year X.[4] Bonaparte, who wished to make it appear as the fruit of his own genius and wisdom solely, began, nevertheless, to bear himself like a man who, regarding it as the indispensable and simple effect of the weariness that ensues upon every war, and which had especially followed the war of the Revolution, was well disposed to turn the excess of that weariness to advantage in the accomplishment of his designs. From the date of the signature of the preliminary treaty in London, he believed himself to be sufficiently powerful and popular to venture upon an avowal of his pretensions, and to let his ambition soar unchecked. Acts which were the preludes to a completely new order of things succeeded each other without interruption in the course of year X., and the hypocrisy with which Bonaparte had hitherto dissembled his purpose was no longer available except in the choice of means and pretexts. A sketch of his conduct during that

[4] On the night of the 1st of October, 1801. (See "Thiers," book xi.)

year is essential to my design ; and I may say that I should not regard such a sketch as useless, if it did no more than prepare the imagination for the strange events of year XII., the particular subject of this history.

The first important result of the preliminary treaty of London was the Congress held at Lyons for the organization of the Italian Republic.[5] It is for the Italians who were summoned to the Congress, and in a position to observe the intrigues which determined its issue, to supply a history of it. I refer to it at this place merely as an event which already threatened the projected peace between England and France before it had been concluded, and would have renewed the continental war at once had Europe been less thoroughly drained of both men and money. I shall also relate an incident most characteristic of Bonaparte, and which throws a light upon the subsequent facts to which the Cisalpine Congress was the prelude.

The members of this Congress knew nothing about the form of the Constitution that was about to be given to their country ; but they foresaw that power would be concentrated in a single chief,[6] and the selection of that chief was the principal subject of curiosity and intrigue. Their opinion and their votes were unequally divided among a very small number of their fellow-citizens, for not one of them supposed that the idea of choosing a man from a foreign country to govern them could pos-

[5] The Congress met in January, 1802. (See "Thiers," book xiv.)

[6] [Marg. note.] "They foresaw this from the events that were occurring in France, and the spirit prevalent there at the period."

sibly be entertained. The Consulta had nominated a committee of thirty members to prepare the deliberations in which it was about to engage, and also to proceed to immediate communications with the First Consul or with Talleyrand, the promoter and agent of his purpose in this great affair.

When they came to the nomination of the President of the Italian Republic, it was agreed that the Committee of Thirty should designate the man whom they considered most capable of filling that post by secret votes. This designation was not to have any definitive and necessary result; it was only to be tentatively made, so as to ascertain what were the different ideas that might exist in the Consulta, with a view to find farther means of reconciling them. The Italians did not detect a snare in this measure, although it had been suggested and advised by Talleyrand.

Melzi[7] obtained all the votes of the Committee except his own and one or two others, for his colleague was a man who was actually his enemy, and who wanted to be his rival.[8] Bonaparte did not obtain a single vote; this proved beyond a doubt that he had not solicited votes, but it also apprized him that if he wanted them he had better set about

[7] The Duke of Melzi-Erile, of Spanish origin, but long resident at Milan, had there displayed partiality to the French, and had been Minister Plenipotentiary of the Cisalpine Republic at the Congress of Rastadt. He was a great friend of Madame de Staël, at whose house Fauriel saw him frequently. He figures in her novel "Delphine" under the name of "Serbellane."

[8] Probably Marescalchi, who was then Minister of the Cisalpine Republic at Paris. He became Minister of Exterior Relations, with orders to reside near Bonaparte, when the latter procured his own nomination as President.

procuring them. On learning the result of the voting, he instructed Talleyrand to declare to the members of the Committee, through Marescalchi, that the only means of safety for the Italian Republic was to make the First Consul of the French Republic its President, and to give them to understand that any other choice would be superfluous. This declaration produced its effect.[9] Thus, then, did those councils to which unhappy Italy looked for the laying of the foundations of new and vigorous freedom, result in nothing but the imposition of a chief whom she did not desire, and the advent of a master resolved to govern her as his conquest.

Bonaparte returned to Paris to receive congratulations which were, as usual, loud and demonstrative in proportion to their insincerity. His first act was to order the press to assure the French nation through the columns of all the newspapers that his new title did not in any way compromise the tranquillity of France, and to assert that he could not have refused assent to the wish of the Italian Republic, without displaying a lack of magnanimity and even of prudence.

He lost no time in reverting from the attention due to Italy to the greater care which he owed to the affairs of France; nor had he, indeed, been diverted from the latter for a moment. He had only to pass from meditation to action.

A sort of party of opposition had been formed in the Tribunate. This party, which had perhaps lacked discretion and prudence to a certain extent,

[9] The election of Bonaparte was voted by acclamation on the 25th of January (15th Pluviôse), 1802.

had not been deficient in either talent or courage. It had voted the rejection of several laws which were destined to form part of the Civil Code, and it had succeeded in getting some of these rejected by the Legislative Body, in which, also, there existed a corresponding party of opposition.[1] No more than this was needed to irritate and give umbrage to Bonaparte; but he had had a motive more serious and more real than any of those which he then avowed for suppressing every kind of opposition in both the Tribunate and the Legislative Body, that is to say, for suppressing in the one liberty of speech, and in the other liberty of silence.[2] He foresaw that men who ventured to protest against so trifling a remnant of feudal barbarity as the right of escheatage (*droit d'aubaine*) would not be disposed to approve of the system he was concocting in his brain; at least, he did them the honour to fear them.[3]

It had been settled by the Constitution that the Tribunate and the Legislative Body should be annually renewed by one-fifth; but the mode of out-going for the members who were successively to form this fifth in the five first years had not been laid down; no one having supposed that any method more simple and equitable than the lot could exist.

[1] [Marg. note.] "This was a party of outspoken opposition."

[2] [Marg. note.] "Make it more clear that the Tribunate would all the same have been weeded by Bonaparte, even if he had chosen to govern under the title of Consul only; the freedom of the speeches delivered there, and the nature of the principles to which the discussions referred, were sufficient motives (even independently of his ulterior purposes) for the expulsion of these importunate orators."

[3] The Legislative Body had no right except that of voting secretly, *without discussion*, upon the laws which were presented to it.

The period had now come when the first partial renewal was to take place in the two bodies. But Bonaparte,[4] unwilling to await at the hands of chance an advantage that might be secured by his own foresight, demanded from the Senate a measure by which his interest should be placed beyond the reach of the caprices of fate, and the Senate hesitated to obey him only just so far and so long as sufficed to prove that their obedience was an act of cowardice and a violation of principle. By a Senatus-consultum of the 22nd Ventôse, the Senate decided that the recomposition of the Tribunate and the Legislative Body for year X. should be effected, not immediately and simply by the out-going of one-fifth of their members, but by a special re-election of the remaining four-fifths. In this fashion did the dignity of the Senate limit itself to giving a subtle turn to the fulfilment of a despotic order, and to arbitrarily depriving a certain number of men of their functions, without being obliged to pronounce their names. A few days afterwards, a new Senatus-consultum, which was only the complement and application of the first, was issued, and it was not without perplexity and difficulty that twenty men were found in the Tribunate, and sixty in the Legislative Body, worthy of the honour of being reputed dangerous to the designs of Bonaparte. A singularity worthy of mention is that those acts of the Senate took place at a moment when men's minds were much occupied with the strange Constitution recently given to the Italian Republic. Now, in that Constitution—a shapeless mixture of European and Asiatic ideas, of principles of liberty

[4] On the advice of Cambacérès. (See "Thiers," book xiii.)

and despotic institutions—the case analogous to that which the Senate had just settled in so subtle and complicated a manner, had been submitted to the decision of the lot. It matters little whether this article in the Constitution of the Italian Republic was an oversight of Bonaparte or the fruit of mature consideration.

It would be useless to pause here, and comment upon the advantages that accrued to Bonaparte from the Senatus-consultum of the 22nd Ventôse. It suffices to remember that it was at this period, and by this means, that he introduced into the Tribunate and into the Legislative Body most of the men who have since brought about, or accepted acts in the name of the French nation, that have been fatal to its liberty and glory, without securing repose, the sole benefit an enslaved people can enjoy. He also derived from this the indirect but equally real advantage of having made the authority charged with the maintenance of the Constitution commit one more arbitrary action.

At length the day for which Bonaparte had waited with so much impatience arrived: the peace with England was signed at Amiens on the 4th Germinal.[5] He devoted the days immediately following the publication of the treaty to receiving the congratulations of all the authorities, but soon turned his attention to the solid profit to be derived from an event from which he intended to reap much more than adulation, however lavish.

He began by holding some private conferences with those members of the three great bodies of the State

[5] 27th of March, 1802.

who were most devoted to him. On the conclusion of those conferences, on the 16th Germinal, he communicated the treaty of Amiens to the Legislative Body and the Tribunate, to be discussed and sanctioned as a law of the Republic. It is easy to imagine how diligently the orators who desired to please the hero-pacificator strove on that occasion to touch up, refresh, and vary the language of praise and enthusiasm, and how boldly they dealt in adulation under the appearance of zeal for the national glory and prosperity. Chabot de l'Allier[6] proposed that the Tribunate, in virtue of a constitutional prerogative of that body, should express their desire that a conspicuous token of the national gratitude might be bestowed upon General Bonaparte.

The circumstances under which this motion was proposed lent it a specious pretext; but it was illegal and even senseless, for the reason that it was indefinite, and had no special aim or bearing. The Tribunate had once before used its right of expressing its will in connection with the great interests of the country, and Bonaparte was on that occasion the object of the motion. But the Tribunes had expressed their wishes without any vagueness whatever. The proposal was purely and simply that the First Consul should be granted the Château of Saint Cloud as a national recompense.[7] Things assumed quite a different

[6] Georges Antoine Chabot, member of the Convention (1795), afterwards of the Council of Five Hundred, of the Tribunate, and of the Court of Cassation; born at Montluçon in 1758; died in 1819.

[7] The following is what occurred: The Château of Saint Cloud being the nearest to Paris of all the royal residences, the inhabitants of that commune had been induced to present a petition to the Tribunate, that it might be offerred to Bonaparte;

aspect on the 16th Floréal, when, proposing for the second time that a conspicuous token of the national gratitude should be bestowed upon Bonaparte, the Tribunate modestly abstained from all prevision or speculation upon the nature of that token. This was enough to lead even those who, not being aware of the real state of things, would have been more disposed to accept appearances for truth, to discern that the motion made at the Tribunate, and the declaration which resulted from it, far from being spontaneous, formed part of a plan previously concerted with the only man who had the will and the power to weave webs of the sort, and that it was desirable for the progress and success of that plan that the complimentary wish (*vœu*) of the Tribunate should be expressed as vaguely as possible.

The motion of Chabot de l'Allier was unanimously adopted,[8] and without any speechifying. No one seized the occasion to dilate upon the motives of the motion, or to indulge in laudation of its subject. The very thing that ought to have caused its rejection—its indefiniteness—no doubt principally contributed to its acceptance. Those members of the Tribunate

but he declared to the commission charged to report upon the petition, that he would neither accept any gift on the part of the people during the term of his office, nor for a year after the cessation of his functions. (See "Mémoire sur le Consulat," 1799—1804, by a former Counsellor of State [Thibeaudeau], pp. 5 and 6. Paris, 1827.)

[8] Chabot, who was a great friend of Cambacérès, was a that time President of the Tribunate. After a motion by Liasson, demanding that a deputation should be sent to congratulate the Government upon the subject of the treaty, he left the President's chair, ascended the tribune, and proposed the motion for a great manifestation of the national gratitude towards the First Consul.

who no longer had the courage to do their duty, although they still possessed the sense of it, conceived that the nation would have no right to impute an attack upon public liberty to them, because they could feign unconsciousness that any such project was involved in their action.

According to the Constitution, the Conservative Senate was the authority to whom it belonged to deliberate upon the vote of the Tribunate, in so far at least as it was constitutional and legitimate to deliberate upon an indefinite proposal; for to interpret and to specify it was to make it the Senate's own; to do the will of the Senate itself under the appearance of doing that of another State body. Meanwhile Bonaparte had taken all the necessary measures to forestall any diverse interpretations of the meaning of the Tribunes and the Senate. He had given such members of the latter as were the most submissive to him, to understand that the best way to carry out the wish that had been formally expressed would be by making him Consul for life. The men who were in his confidence were already too much debased by their zeal for tyranny, even before it became all-powerful, to be in a position to promise much more than their individual suffrages. On such an occasion as this, and in order to get the better of the public common sense, he required men who either really did degrade themselves for the first time, or appeared to do so. Consequently he had the senators whom he distrusted beset in every way. Fouché distinguished himself especially by the eagerness of his efforts to procure votes for him, or at least to secure the silence of such senators as he feared

to find faithful to their duty. Indirect threats, fulsome flattery, adroit promises, reiterated representations of the uselessness of all efforts to maintain certain results of the Revolution,—all these devices were employed to secure the assent of some of the members of the Republican minority of the Senate to that scheme of Bonaparte's of which the Tribunate was the mouthpiece.[1]

All these insidious precautions were not without their utility; and the temporary Consul might flatter himself with every appearance of reason that he would soon be perpetual Consul, or even more than that. The day marked out for the final development of this momentous intrigue arrived; it was the 18th Floréal;[1] for it is well to remark that only a few hours intervened[2] between the vote of the Tribunate and the deliberation of the Senate. During the few minutes which preceded the opening of that too memorable sitting, the different tones of private conversations, and the various expressions of countenance, would have sufficed to reveal the contrast of thoughts and

[1] [Marg. note.] "It must be made plain that Bonaparte's plan had been so arranged that—

"1. The Republican senators should propose the re-election of the First Consul for ten or twenty years.

"2. That others, who were bolder, should propose that he should hold the Consulship for life.

"3. That the most imprudent should propose hereditary power under some vague denomination.

"The plan was not carried into execution without encountering some difficulties. From this point of view the famous sitting of the Senate must be narrated."

[1] 8th of May.

[2] [Marg. note.] "The interval was an entire day." In fact it was on the day following the vote on Chabot's motion, the 7th of May, that the deputation was received at the Tuileries, and the sitting of the Senate took place on the 8th.

feelings, and to forecast the opposition in the coming votes, if not in the impending speeches. The courage of the senators who were faithful to the cause of the country sustained them to the point of allowing their grief to appear, but not their indignation. Those who could still blush for the pledge which they had just given to tyranny endeavoured to disguise their distress and shame. The calmest among them were the men who knew that no fresh baseness on their part would astonish anybody.

Lacépède opened the sitting with a report in the name of a commission which was supposed to have examined the proposal of the Tribunes; but the tone of this report was so timid, and its conclusions were so vague, that it left almost all to be said by the senators who were devoted to the First Consul. Tronchet,[3] the advocate, spoke first, and gave it as his opinion that, of all the ways in which the desire of the Tribunes might be interpreted and accomplished, the most proper and effectual would be the conferring of the First Consulship on Bonaparte for life; but under the audacity and the temerity of this speech, the speaker's embarrassment and uneasiness were to be detected.[4] General Lespinasse[5] supported Tronchet's opinion in the resolute manner of a man who has made up his mind to be unboundedly and unscrupulously servile, and modified it only by the adroit

[3] Tronchet had been one of the defenders of Louis XVI. He was nominated to the Conservative Senate in February, 1801.

[4] [Marg. note.] "Thus it was the first part of the plan that had failed. Make this more clear."

[5] He was a general of artillery, and in December, 1799, had been nominated member of the Conservative Senate.

insinuation that if there were any expedient preferable to that of nominating Bonaparte Consul for life, it would be proclaiming him Hereditary Consul.

Both these speeches fell rather flat. The senators who were resolved not to oppose the will of Bonaparte, but who needed to be encouraged to forget their duties by authorities and examples, wanted to have the proposal of a measure which meant the doing away with the Republic expressly approved by one of their colleagues of the Republican minority. By a singular and unforeseen accident this encouragement was not afforded them.

A certain senator, reckoned among the opposition, and highly esteemed for his uprightness, had been induced, I know not under what influence, to support the proposal of the Consulship for life, and he came down to the Senate on the 18th Floréal with a written speech to that effect. But having avowed his purpose to one of his colleagues a few minutes before the sitting, he was met with such strong remonstrance that he blushed for his weakness, flung his speech into the fire, and promised his vote to the cause of the Republic.

In the midst of this suspense and uncertainty, Garat stood up to speak against the proposal of the Consulship for life. He defended the interests of liberty with sufficient eloquence to abash and alarm those who were tacitly resigned to betray them, or who had formally pledged themselves to do so. He also adroitly contrived to appear more anxious and zealous for the honour and glory of Bonaparte, while thwarting his schemes, than those who were ready to

sacrifice the public liberties to him. His speech produced a rapid and profound impression. He limited himself to proposing a sort of medium between the maintenance of the Constitution and the pretensions of Bonaparte, viz. that the legal duration of the First Consul's functions should be doubled. All parties in the Senate—not one of them being strong enough to urge its own opinion with effective force—accepted a measure which reconciled their conscientious scruples with their weakness and their fears. A few of the senators who were devoted to Bonaparte actually congratulated Garat on having pleaded the cause of liberty so eloquently, and thanked him for having saved them from acting the cowardly and culpable part they had promised to act.

The Senate immediately applied itself to drawing up the form of the re-election of Bonaparte, and the farther that recompense was from the prize to which he aspired, the more it was necessary to magnify and multiply the motives and the pretexts for it. The Senatus-consultum of the 18th Floréal is one of the most curious documents that can be cited among the many which we owe to Bonaparte's intrepid endurance of outrageous laudation. He was praised in this strange preamble for having accelerated the progress of knowledge, consoled humanity, and added the benefits of order and safety to those of liberty. He was declared to be triumphant in Europe, in Africa, and in Asia.[6] The latter would be inconceivable unless we suppose that the authors of these deplor-

[6] The following is the phrase: "Considering that the Supreme Magistrate, after having so many times led the Republican [redacted] to victory, delivered Italy, triumphed in Europe, in [redacted] in Asia." (The *Moniteur* of the 21st Floréal, year X.)

able specimens of base adulation might have been at that time unaware of the fact that the only two exploits of Bonaparte in Asia, which were incontestably his own, were the poisoning of eight hundred plague-stricken French soldiers before the walls of Saint Jean d'Acre,[7] and the massacre of four thousand Turkish prisoners at Jaffa.

The Senate repaired in a body to the Tuileries to present the Senatus-consultum, which had just been given. Bonaparte, however, was already aware, before the arrival of the senators, that they had been sufficiently audacious to do his will in part only, and he was so incensed that the Senate narrowly escaped being sent away without audience of him.[8]

[7] M. Thiers says: "There was an ambulance at Jaffa for our plague-stricken soldiers. To take them away was impossible; to leave them where they were was to expose them to inevitable death, either from disease, hunger, or the cruelty of the enemy. Bonaparte said to Dr. Desgenettes that it would be more humane to administer opium to them than to leave them alive; but the doctor made him the much-belauded reply, 'My business is to cure, and not to kill them.' Opium was not administered to them, and this circumstance gave rise to a disgraceful calumny, now entirely discredited."

M. Thiers was imperfectly informed. In 1802, Dr. Desgenettes published, by desire of the First Consul, a "Medical History of the Army of the East," in which he naturally could not mention this fact. A second edition appeared in 1830. He states in his preface that the second edition is similar to the first, with the exception that it contains some notes which could not have been published before 1821 (the date of Napoleon's death). In one of these notes (p. 245) he relates the incident of Bonaparte's proposal to him to terminate the sufferings of the plague-stricken men by opium. "I simply answered," he says, "'My duty is to preserve them.'" Bonaparte replied that he should find others who would better appreciate his intentions. He did, in fact, find some such convenient instrument, for Desgenettes learned on his return from Jaffa that "from twenty-five to thirty of the plague-stricken patients had been given a strong dose of laudanum. A few of these vomited the poison, were relieved, and recovered, to relate all that had taken place."

[8] "No one who had not seen, as I did, the way in which

He controlled himself sufficiently, nevertheless, to listen to the address and the decree of the senators, without manifesting his mortification and rage otherwise than by incoherent and half-choked words,[9] whose accent would have contradicted their sense had that been more intelligible.

In the night of that same day Bonaparte summoned a secret council at the Tuileries, composed of his own relatives and four other men, who derived the privilege of being his confidants and enforced accomplices from the nominal importance of their functions. The object of this consultation was to devise means whereby to repair the defeat he had sustained, and to punish the Senate by doing, in spite of that body, what they imagined they had prevented. A resolution was formed to submit the question of the life-consulship to the votes of the people. This step was, it is said, especially advised by Lucien.[1] Bonaparte, however, could not have required to be encouraged with respect to the success of any such step as this; it needed much less sagacity and experience than he possessed to be aware how easy it is to make the exercise of the national sovereignty by an already enslaved people a resource the more for tyranny and a flout the more for freedom. It was not very long since, (when he wanted to express his contempt for the votes of the people,) he had asserted that nothing would be easier than to make them decree the equal division of land.

On the following day (19th Floréal) the First

the First Consul showed his constraint and annoyance, could possibly have believed it; his 'familiars' were in consternation." ("Mémoires de Fouché, vol. i., p. 267.)

[9] [Marg. note.] "The expression of this to be revised."

[1] According to M. Thiers, by Cambacérès.

Consul returned a formal answer to the Senate,[2] thanking them for the distinguished mark of confidence and esteem that he had just received from them, and declaring at the same time that his respect for the national sovereignty forbade him to accept the prolongation of his magistracy from any other authority than that of the French nation itself, and that consequently he was about to submit the question whether he was or was not to be Consul, not indeed for five years beyond the term of his constitutional tenure of that office, but for the rest of his life, to the votes of the people.

It was impossible for him to display the nature of his grievances against the Senate with effrontery more pure and simple than this. Because that great body in the State had not treated his wishes with such servile and absolute acquiescence as he had hoped for, he affected to regard its action as illegitimate. It is not out of place to recall to memory that the "Act" which summoned the French nation to vote upon the life consulship bore the name of Cambacérès,[3] that is to say, of the man who best knew how to combine gravity with baseness, and who thought by this means to save Bonaparte's modesty from the impropriety of

[2] [Marg. note.] "The answer was inserted in the *Moniteur*, and the senators might have read it before it was communicated to the Senate."

[3] M. Thiers reports Cambacérès' words as follows: "If the First Consul himself did such a thing, the proprieties would be too much offended. But I, as Second Consul, and quite disinterested in the matter, may give the impulse. Let the General set out publicly for Malmaison, I will remain alone at Paris; I will convoke the Council of State, and get the new proposition, which is to be submitted to the acceptance of the nation, drawn up." (Vol. xiv.)

soliciting the favour or the justice of the people in his own name.

The members of the Legislative Body and the Tribunate set the example of eagerness in voting upon the life-consulship. If our grandsons, better and more fortunate than ourselves, ever have a country, they will mention with honour the names of the representatives who were the only ones to vote in this great crisis against a tyranny whose weight was felt, and whose growth was foreseen by all. The number of those names will lay no tax upon memory; it amounts to exactly four.[1]

On the 24th Floréal a deputation of Tribunes and members of the Legislative Body waited upon the First Consul, to present to him the result of their votes. I do not think anything in the history of Bonaparte will hereafter appear more fantastic than the custom of the great bodies of the State pompously presenting themselves to render an account of the execution of each successive demand of his; thus lending the appearance of spontaneous zeal to obedience which was the result of fear.

The ceremony of the presentation of the registers of the Tribunate and the Legislative Body differed to some extent from all the others of the same kind. Chabot de l'Allier was the spokesman of the deputation from the Tribunate. We have seen what *rôle* he had accepted in this affair; but whatever was the cause, whether he was enlightened by his own reflections upon the errors and weakness of his conduct, or whether he learned them from the revolt of public

[1] In the Tribunate, Carnot only voted against the life-consulship.

opinion against the ambitious manœuvres of Bonaparte, he appeared, on the 24th Floréal, to be anxious to repair or to justify the blind or servile acquiescence of his vote at the Tuileries one week previously in the very presence of the First Consul himself. His speech was almost entirely confined to an emphatic exposition of the conditions on which Bonaparte would be worthy to have been elected by the people as their first perpetual magistrate. He represented to the First Consul what was expected of him, and what his own renown demanded, i.e. that in his conduct he should conform to those principles which had been established by the Revolution; that he should do no act contrary to the public liberty; that he should banish from his presence those who flattered in order to ruin him, surround himself with honourable men, who, having made the Revolution, had an interest in maintaining it, and respect the independence of the authorities who were to co-operate with himself in making the laws. These ideas were so clearly set forth, that the sentiment which inspired them could not seem to be equivocal, and the speaker's tone of voice, as he became by degrees more and more animated and impassioned until he reached the close of his discourse, gave it the character of a Republican exhortation, indirect indeed, but precise and intentional.[5]

[5] Here are a few passages of this speech. After he had spoken of the striking homage rendered to the sovereignty of the people by the vote upon the life-consulship about to be asked from them, Chabot added: "Bonaparte's ideas are too grand and too generous to allow of his ever departing from the liberal principles that have made the Revolution and founded the Republic. He loves true glory too well ever to tarnish the great fame he has acquired by any abuse of power. In

Bonaparte, who was unprepared for either such a tone or such language on the part of a man who had previously been so subservient, was visibly disconcerted, and his answer savoured of the mingled anger and trouble that agitated him; it was brusque, common-place, and ill-delivered; just the sort of utterance to which he is given on occasions when he is not sufficiently master of himself to assume a proud and resolute tone. Nevertheless Chabot's harangue produced no other effect than this. He displayed as much courage in vainly palliating the services that he had just rendered to tyranny, as he would have needed to embolden him to refuse them.

Early in Prairial, addresses of congratulation to Bonaparte on his presumed elevation to the perpetual consulship began to pour in from all parts of France. Among the most unmistakable signs by which posterity will recognize how far these addresses were from being the simple and frank expression of a general opinion, I am disposed to reckon the absurd inflation of language, sentiment, and ideas which characterizes almost all of them. In some of these

accepting the honour of being the First Magistrate of the French, he contracts great obligations, and he will fulfil them all. The nation which calls him to govern it, is free and generous; he will respect, he will establish its liberty. Bonaparte, in short, will be always himself. He will desire that his memory shall be handed down glorious and irreproachable to our most distant posterity, and never shall it be said of Bonaparte that *he lived a few years too many!*"

Bonaparte's reply to this sharp lesson must have been a very awkward one, for the *Moniteur* confines itself to the remark, "Of the answer of the First Consul, only the following sentences have been preserved," and then follow eight lines of commonplace, in which the word "liberty" does not occur. (*Moniteur* of the 25th Floréal, year X., p. 959.)

productions the expression of tenderness and admiration for despotism is carried to a pitch that is either burlesque or purely ironical. "Why," exclaims a magistrate, whose name I wish I could quote, "*why is it not possible to propose this question to us, shall the First Consul be eternal?*" "May the First Consul," said General Mouncey, "pass into immortality only after all the present age! May his satisfaction, his desires, and our affection avail to enlarge the boundary of human existence!" When a man invested with supreme power is habitually flattered in this fashion by an intelligent nation, apt to grow easily tired of admiring even great things, may we not conclude that he is already or soon will be a tyrant?

Nearly three months elapsed between the day on which the people began to vote on the life-consulship, and that of the sending up of the votes to the Senate to be scrutinized. Bonaparte devoted the interval to various measures of administration, and to the carrying into effect of several projects of law. The most remarkable among the latter was the renewal of the slave-trade, which was discussed by the Legislative Body at the end of Floréal.[6]

It was reserved for that epoch to justify such a measure by reasons more odious than the measure itself. I am not in reality straying from my subject by entering at this point upon a brief recapitulation of the gravest and strongest arguments that were brought forward by the Consular Government in the so-called discussion of that law. It is my design to

[6] The law by which slavery was maintained in the colonies was passed on the 20th of May, 1802.

make manifest, with the utmost plainness, what was the real spirit of the period that followed Bonaparte's entrance into the Consulate of the Republic and preceded his accession to the Empire, and how can I more fitly do this than by quoting the political maxims and principles of the epoch in question? The following is a summary of the reasoning by which Bonaparte had the project of re-establishing the slave-trade argued before the Legislative Body.[7] I must here state that although I put them in stronger and plainer words, I have neither altered the substance nor exaggerated the expression of them.

"The ancient peoples, whom we admire, who loved liberty and enjoyed it, nevertheless had slaves; it is not, then, incompatible with liberty that modern peoples should deal in black slaves. The ancients kept their slaves about them, and were, consequently, either the authors or the obligatory witnesses of the ill-treatment inflicted upon them; we moderns relegate our blacks to distant isles, whence their cries cannot reach so far as Europe; we are, therefore, more humane than the ancients. The commercial prosperity of France renders it necessary that a certain quantity of the produce of the country, in wine and cereals, should be sent to the Antilles for consumption by the blacks; now these negroes, were they free, would prefer manioc to wheat, and the juice of the sugar-cane to our wines; it is, therefore, indispensable that they should be slaves. Lastly, the Africans have skins of another colour than ours; they have customs (*mœurs*) and opinions which differ from ours, therefore we

[7] Admiral Bruix. It must be borne in mind, as an extenuating circumstance for him, that he was born at St. Domingo.

have a right to purchase them on the coast of Senegal in order to send them to fertilize with their sweat the soil of the islands of America, which is more productive and more burning than our own."[8] The Councillor of State who undertook to present these arguments to the Legislative Body is now an admiral of the Emperor's fleet. His name is Bruix.[9]

Montesquieu, who regarded with aversion the reasons so long advanced by Europe to justify negro slavery in America, and disdained to offer any serious refutation of them, has contented himself with depicting them from the simplest and most salient point of view in a chapter of his "Esprit des Lois," which was certainly an inspiration of the genius of humanity by the genius of irony. Some of the arguments of this speech by Bruix might have been taken from Montesquieu's chapter; others might be added to it.

Almost simultaneously with the enunciation of this doctrine in the palace of the Legislative Body, a forcible illustration and application of it was supplied by Captain-General Leclerc in the regions for which

[8] The following sentences of the speech prove that Fauriel's account of it is perfectly trustworthy: "That one portion of the human race is condemned by nature, or by social institutions, to servile toil and slavery, is a fact to be lamented. Sparta with its helots, Rome with its slaves, knew, cherished, aye, adored liberty. The difference of colour, of custom, and of life are, however, the excuse for the domination of the whites. It is necessary for property and power to be in the hands of the less numerous whites; it is necessary that the more numerous blacks should be slaves." (*Moniteur* of the 3rd Prairial, year X., p. 1003. Sitting of the Legislative Body of the 30th Floréal.)

[9] Admiral Bruix died in Paris on the 18th of March, 1802. We know, therefore, that this chapter of history was written before that date.

it was intended. He sent to Havannah for a large number of the strong, fierce dogs known as Cuban bloodhounds, to act as his auxiliaries in the conquest of St. Domingo, and issued a military order that the animals—truly a new order of combatants—were not to be fed with anything to which they were accustomed, so that their appetite for the flesh of the negroes, whom they were destined to hunt, might be in full and unappeased voracity.

But already, some months before the re-establishment of the slave-trade, other institutions, dictated by the same spirit, and indicating even more directly the intention of founding an absolute government upon the ruins of the Republic, had been created, and other laws passed. The religious Concordat of the 26th Messidor, year IX., had been sanctioned as a law of the State in Germinal, year X. The pretext of this convention was the re-establishment of religion as necessary for the moral welfare of the people; but it was plain to all that Bonaparte's real motive was to make such pretensions, pomp, and influence as he meant to leave to Catholicism serve his own policy, while he retained every means of keeping it in subjection to him, and, if need arose, of being revenged upon it.[1]

This motive had not escaped the perception of the heads of the Catholic party; but it was of great importance to them to be enabled to exchange the

[1] One day Bonaparte said to Bourrienne, "In every country religion is useful to government; it must be employed in acting upon men. I was a Mahometan in Egypt; I am a Catholic in France. It is as necessary for police purposes that the religion of a State should be entirely in the hands of its ruler." ("Mémoires de Bourrienne," vol. iv., p. 279.)

miseries of persecution, its perilous honours, and the barren esteem which they enjoyed through its means, for a peaceful and well-endowed existence. To compensate for the shame of serving as instruments in the hands of a power which despised them, they might hope once more to cultivate the ignorance and the prejudices of the people to an extent even beyond the requirements of the Government that had restored them.

A few days after the legislative sanction of the Concordat, the institution of what is called "The Legion of Honour"[2] was proposed and adopted. The object of this institution tended even more plainly than the re-establishment of Catholicism to accomplish the secret designs of Bonaparte, and the pretext assigned to it was even more impudent. It was taken from a clause in the Constitution, by which a recompense to the army was guaranteed in the name of the French nation. Such a "legion" was simply a first order of chivalry, a first body interposed between the French people and Bonaparte, according to the too-famous principle that a monarch is a being of a mysterious nature, who, not being sufficiently distinguished from the people whom he governs by his duties towards them, and his necessary influence upon their destinies, ought to be still farther separated from them by classes of men whose special function it is to connect him with the nation by a kind of honorary gradation.

[2] On the 20th Floréal, year X. (9th of May, 1802), a law, voted upon the proposition of the Consuls by the Legislative Body and the Tribunate, instituted the order of the Legion of Honour. It was opposed in the Tribunate by 38 votes against 56, and in the Legislative Body by 110 votes against 166.

A singular incident of the establishment of the Legion of Honour was the selection of Rœderer, at that time a Councillor of State, for the duty of explaining and justifying it before the Legislative Body. To him it fell to proclaim the necessity for reawakening among Frenchmen that sentiment of honour which had so long been regarded as the mainspring of their great deeds and their chief national characteristic; to him who, at an epoch of the Revolution at which every idea appeared false or culpable, for the sole reason that it existed prior to the Revolution, had proclaimed that it was necessary "to dishonour *honour*" as an old feudal sentiment!

I must not omit to record that the project of the Legion of Honour was opposed at the Tribunate by Chauvelin[3] and Savoie Rollin. The speech of the latter, a cultivated man and a steady friend of liberty, raised such strong objections to the project, and demonstrated so clearly that it was either useless or dangerous, that Lucien Bonaparte, then a member of the Tribunate, was obliged, in the interests of the success of Bonaparte's legislative plans, to reply in abusive terms, and to remove the impression left upon the minds of the Tribunes by threatening hints. The project was adopted by the Legislative Body by a majority of 166 to 110.

Such an opposition was remarkable at a time when despotism had already taken so many measures to ensure the execution of its will; when each man

[3] François Bernard, Marquis de Chauvelin, born in 1766, died in 1832; Savoie Rollin, formerly Advocate-General to the Parliament of Grenoble. Both afterwards became members of the Legion of Honour. Chauvelin spoke last, and was answered by Lucien Bonaparte.

believed himself to be enjoined by prudence to act against his convictions. Such was the supineness of the period, that we may regard this incident as an eloquent and severe censure of the intentions by which Bonaparte was inspired. This was the last effort of the national representation against the encroachments of arbitrary and absolute power.

To have re-established Catholicism in a position which made it a dependent and interested political auxiliary, to have formed within the nation a body distinguished by a purely honorific title, that is to say, without any civil or military function, was to have done much towards preparing the foundation of an hereditary monarchy. The place of the throne had been, so to speak, marked out; there remained only to erect it.

A great deal of hypocrisy was still displayed in the language used to justify these two institutions—the Concordat and the Legion of Honour; but it had become easy for the least penetrating or the least suspicious minds to recognize that Bonaparte had been preparing himself long beforehand to reign as a despot, and that, being incapable of investing his despotism with any really original forms, he aspired by every effort to restore the supreme power under its oldest names and with its most insolent symbols. He would therefore bring all the ancient errors to the support of his views and projects. Hence, perhaps, the largest and most profound of his general ideas was to arrest the progress of national education, and to force it back into a circle in which it would be limited to satisfying merely superficial curiosity, but in which men could learn nothing incompatible with respect for arbitrary power.

The overthrow of the system of Public Education established by the National Convention, (on this Bonaparte was resolved from the first,) was accomplished at the very moment when, notwithstanding certain imperfections existing in itself, and a crowd of obstacles created by circumstances, it was beginning to produce decidedly beneficial results. Several intelligent men, by their more or less strong and just objections against the vices of that system, seconded the enmity which Bonaparte bore to its advantages only.

Fourcroy, who had charge of the department of Public Education in the Ministry of the Interior, yielding to the vanity of surpassing his predecessors, submitted a very methodical and extensive system of national instruction to the First Consul. Bonaparte, not deigning to entangle his genius in the labyrinth of divisions and subdivisions involved in this plan, roughly informed its author that so much variety and such complicated apparatus was unnecessary in public education, and did not at all accord with the simplicity of his own views. "A little Latin and Mathematics," he said to Fourcroy, "is all that is wanted." The plan was reformed and curtailed upon this general idea, and brought up for discussion at the Tribunate at the end of Germinal. It was adopted with great praise, and the strongest and most remarkable objection offered to it was that education ought to be exclusively entrusted to priests and at need to monks, whom it would be advantageous to restore for that purpose. To record this objection without naming its author would be to represent as odious a thing which was only ridiculous. The speaker was Carrion Nizas, a person endowed by nature with the singular

privilege of exciting no emotion but laughter, and producing the effect of a jester while appearing as the apologist of crime.[4]

Such were the principal laws by which Bonaparte had indicated his policy, and prepared the way for the success of his ulterior designs, at the moment when the registers which were supposed to contain the votes of the people of France upon the life-consulship reached the hands of the Government. On the 10th Thermidor, those registers were despatched to the Conservative Senate, with a message signed by Cambacérès, and five days afterwards the Senate solemnly repaired to the Tuileries, there to render an account of the reckoning it had made of the votes of the nation. A circumstance, which was by no means due to chance, contributed to lend a greater air of solemnity to the admission of the senators to the First Consul's presence. They presented themselves in the midst of a diplomatic audience, which was interrupted in order that the First Consul might receive them, and Bonaparte, in the face, so to speak, of all Europe, represented by the various ambassadors, heard himself proclaimed Perpetual First Consul, in virtue of three million five hundred and sixty-eight thousand votes. The act of the Senate was couched in the following terms :—

"The people of France name, and the Senate

[4] The Marquis de Carrion-Nizas, born at Montpellier in 1767, was an officer of cavalry, and was imprisoned in 1793. He became a member of the Tribunate, and his servility to Bonaparte excited the anger of the public. His tragedy of "Pierre le Grand" was hissed off the stage on the 19th of May, 1804. The affair made a great sensation. (See the *Journal de Paris* of Floréal, p. xii.)

proclaims Napoleon Bonaparte First Consul for Life." It also set forth, that in memory of the great event a statue of Peace, holding the laurel of victory in one hand, and the decree of the Senate in the other, should be erected. In this extraordinary scene, where adulation and slavishness were made to pass for the expression of the national will, Bonaparte, instead of feigning the emotion, the surprise, or the modesty of a man dragged out of himself, so to speak, and whose plans of retirement from public affairs were upset by all this honour, had the honesty to demean himself like one who did but reap the fruit of his own bold scheming.[5] In his reply to the address of the Senate he plainly declared himself to be pledged by his new title to preserve *the equality, the liberty, and the prosperity of France from the caprices of fate and the uncertainties of the future*;[6] he announced that

[5] [Marg. note.] "Many tyrants are represented in history as accepting bespoken and prearranged offerings of esteem and affection. But all, with a sort of modesty, let themselves be entreated to accept."

[6] The following is the complete phrase: "By our efforts, by your co-operation, citizen senators, by that of all the authorities, by the confidence and the will of this immense nation, the liberty, the equality, and the prosperity of France will be placed in security from the caprices of fate and the uncertainties of the future. The best of people shall be the happiest, as it is the most worthy of being, and its felicity will contribute to that of the whole of Europe."

To give an idea of the delusions which certain legislators were still under respecting the liberal intentions of Bonaparte, it will suffice to recall the following resolution, which was passed by the Tribunate at its sitting of the 29th Floréal, year XII. "The Tribunate adopts the resolution that when it proceeds to do homage to the Emperor, its President shall express to him its desire that *the happy epoch of the hitherto unknown alliance of Empire with liberty* should be eternized* by a medal." (*Journal de Paris*, 8th Prairial, year XII., p. 1623.)

* This expression is an awkward one, but so remarkable that the translator has thought it better to reproduce it exactly.

he would accomplish this aim and duty by *wise and prudent institutions.* It was easy for any who had observed the manner in which he had hitherto protected liberty and equality to understand what he meant by talking of placing them in safety from the caprices of fate. The true sense of those words was this: "In order to fulfil the great task which the people impose upon me by naming me First Consul for Life, I am about to make myself their hereditary sovereign."

I have postponed until now a remark which ought not to be omitted from this sketch, but I desire to call attention to the coincidence of various intrigues which already revealed the project of an imperial dynasty with all the measures taken to elicit and collect the suffrages of the French nation upon the life-consulship. Rœderer and Saint Jean d'Angely put forward the proposal to make the supreme power hereditary in the family of the First Consul, plainly and without any disguise in their respective journals, and as it was well known that both professed a too respectful devotion for tyranny even to dare to back it up without orders, it was reasonably concluded that they were but the echoes of him whose advisers they appeared to be. A short pamphlet, signed by an officer, and in which Bonaparte was urged to make himself Emperor of the Gauls (without the Salic law) was profusely distributed, and especially in places where the police had plenty of eyes and arms at their service.[7] I have already said that in the famous discussion of the desire of the

[7] [Marg. note.] "To inform myself whether the name with which this leaflet was signed was not, as is most probable, an imaginary name."

I have been unable, notwithstanding all my researches, to find this leaflet.

Tribunate by the Senate, there had been some indication of a preconcerted plan to hand over hereditary power then and there to Bonaparte, without having recourse to illusory and momentary restrictions. The ambition of Bonaparte was not awakened by those servile and culpable manœuvres; it was only abetted and obeyed. It remained, then, to be decided whether he distinctly intended to pass at a bound from temporary magistrature to absolute monarchy, without resting and fortifying himself for a moment in an intermediate dignity, such as that of the consulship for life. All the indications and all the appearances authorize us to presume that his plan was in fact to attain his end without delay or turning aside, and that he had only been induced to take an oblique path by the weakness and defection of his agents in the Senate on the occasion of the discussion upon the motion in the Tribunate.

The first exercise of the Perpetual Consul's new authority was his addressing to the Senate, on the 16th Thermidor, a project of Senatus-consultum which in several of its fundamental dispositions annulled the Constitution, and which was entitled "Organic Senatus-consultum of the Constitution." By sending this Act fully drawn up to the senators, he gave them to understand that thenceforth he did not mean to leave them the initiative in his enterprises, nor even to admit them in the quality of consultative accomplices, but simply as passive instruments. This was an avowal that he no longer apprehended any limit to the obedience of some, or any serious obstacle in the opposition of others.[8]

[8] [Marg. note.] "An essential circumstance has been omitted

It forms no part of my plan to examine the Senatus-consultum of the 16th Thermidor in detail, or to show how widely the Perpetual Consul had extended the boundaries of his power by that Act, and what means of farther extension were included in it.[9] I shall confine myself to one point, which seems to me very simple, and sufficient to demonstrate the hypocrisy, the insolence, and the irony that characterized Bonaparte's appeal to the national will. The Senatus-consultum in question was in reality nothing but a kind of special constitution of the consular authority in perpetuity. It had in reality been drawn up long before the official return of the votes given by the nation was sent in, but this eager haste to regulate and determine the prerogatives of a dignity before a title to it could be shown, might simply arise from an easy certainty of obtaining that title, or readiness to take it for granted. What is more remarkable and more curious is, that while the response of the people of France to the question that had just been so solemnly put to them must have been supposed to be still unknown; while Bonaparte must necessarily, for the sake of propriety and prudence, have concealed his certainty of being proclaimed Consul for life, on pain of revealing too clearly to what it was he owed that security; at this

here. It is that on the day when this Act was sent to the Senate, the avenues, the courtyard, and the anterooms of the Luxembourg were filled with grenadiers. Up to that time all communications between the Senate and the First Consul had been made simply by State messages, and without armed force."

[9] [Marg. note.] "Say here, that by this Act the First Consul made himself President of the Senate."

moment he decided that Cambacérès and Le Brun should also be consuls for life, and conferred upon them by his own will that very same dignity which he, Bonaparte, had declared he could not hold legitimately in his proper person except by the sovereign authority of the French nation. By introducing to a share in the national favour, at his own sole pleasure, two individuals whose notion of their own merits was too just to allow them to lay any claim to it, he not only afforded a fresh proof of his contempt for the nation, but a sufficiently plain indication that the title of Consul for life, although he had seemed so ardently to covet it, was not that on which his lofty ambition was definitely fixed.

The 29th Thermidor[1] was the day settled for the presentation of the congratulations of the authorities, from the Legislative Body down to the Commissaries of Police, on Bonaparte's promotion to the Life-Consulship. This arrangement was not made by chance; the day was the anniversary of the Consul's birth. There was an attempt made to convert it into a national festival, and it deserves to be noted in history as that on which homage, to which no national or even political pretext could be assigned, and which was addressed to his person rather than his dignity, was lavished upon Bonaparte. From that day forth the loftiest projects of his ambition always appeared to be subordinate to the most puerile whims of his vanity.

Bonaparte had expended much greater resources,

[1] The 15th of August. On the subject of the date of Bonaparte's birth, see the discussion by M. Th. Lung in "Bonaparte et son Temps," vol. i., ch. 3.

and allowed himself far more time in getting himself made Consul for life, than he proposed to devote to becoming hereditary chief of the nation. He flattered himself, not without reason, that he should be able to accomplish his full purpose in the course of year XI. Early in Brumaire of that year [2] he visited the department of Seine Inférieure and some parts of the neighbouring departments. I cannot positively affirm, but I believe, that the only object of this journey was that which is indicated by its most positive and evident, or indeed, I may say, its only result. Madame Bonaparte was admitted, or condemned, to share with her husband all the homage and all the addresses which awaited him at the various stages of his progress.[3] On the return of the illustrious

[2] "The First Consul set out this morning (5th Brumaire)," says the *Moniteur* of the 6th, "accompanied by Madame Bonaparte."

[3] The *Moniteur* of the 13th Brumaire contains the following: "All these constituted bodies (at Rouen) were presented to Madame Bonaparte, and expressed to her, with the tact peculiar to the French nation, the feelings by which they are animated. They were received with the kindness and amiability that distinguish the person to whom their compliments were paid. The wives of the public functionaries were presented to Madame Bonaparte." The same number gives the speeches made to her by the prefect, the mayor, the archbishop, and all the legal officials. The opening passage of the prefect's speech deserves to be quoted. It is as follows: "We have just presented our homage to the Chief of the State, and you see that not one of us could resist the emotion that is produced by the presence of a great man. The mind is affrighted by the distance that divides him from other mortals; but the heart is reassured by finding at his side a consort adorned by all the gentle and tender virtues." It is worthy of remark, that of the ten speeches whose text is given by the *Moniteur*, four were addressed to Bonaparte, and six to his wife, who must have been equally surprised and touched by the utterances of the Curé of Havre: "It is indeed a bright day for the Curé of Havre and his clergy, that permits them to pay the tribute of their admiration to your virtues." (The *Moniteur* of the 21st Brumaire, p. 202.) It is well to add

couple, after their rehearsal of the airs of royal majesty, the Senate and the other great bodies, still (by a remaining fragment of the illusions of the Republic) held to be formed of representatives of the French people, did not venture to refuse that homage to the wife of the Chief of the State which he had so delicately and ingeniously made easy to them by first seeking it within the walls of Rouen. Those who even then refused to believe that the First Consul's intention was to make himself an hereditary monarch, began to suspect him when they saw what pains he took to have his wife treated like a queen, since only a political motive could be sought for in conduct which no one could possibly impute to weakness or to mistaken conjugal tenderness.

I shall relate here only one of the numerous particulars of Bonaparte's journey to Rouen, because it appears to me to throw a strong light upon his character. He went to visit the battle-field of Ivry, and gave orders for the erection of a pyramid in honour of Henry IV., with an inscription dictated by himself, in which praises of the magnanimous Henry were mixed up with insults to his descendants. I leave it to all those who combine good feeling with good breeding to pass judgment on this idea of Bonaparte, this converting of a monument to the best of the Bourbons into a manifesto of his own self-interested enmity towards the fallen inheritors of his throne,

that on the 1st Brumaire, year XI., the Consuls had issued a decree that the wife of the First Consul should have four ladies with her, to do the honours of the palace. These four ladies were respectively, Mdme. de Talhouët, Mdme. de Luçay, Mdme. Lauriston, and Mdme. de Rémusat. (See "Mémoires de Mdme. de Rémusat," ch. i.)

and lending solemnity to the insults which he lavished upon the living, by inscribing them upon the tomb of the dead.

In the course of Ventôse of this same year all was ready, every circumstance seemed favourable to the complete manifestation and full accomplishment of the designs of Bonaparte. The scheme of the institutions and measures which he conceived to be useful or necessary to his ulterior power was perfecting itself from day to day. At the beginning of Frimaire he had handed over the police service of the theatres to his prefects of police, in order to get into his hands every possible means of repressing or corrupting public opinion in the only kind of assembly at which it could still manifest itself.

Shortly afterwards he had organized "senatoreries"[4] with funded endowments, and these were destined to form another gradation between the people and their future monarch. After this he had re-formed the National Institute on the plan of the former Academies, for the purpose of exerting a more positive influence over it than the king had exercised over the Academies under the old *régime.*

One special object of this re-formation was his express intention of abolishing a class in that learned body which was entitled, "The Class of Moral and Political Sciences." Lastly, on the occasion of money being minted, in the course of Ventôse, he had caused an act to be passed for the substitution of his own effigy for the emblem of the Republic on one face of the new coins.

This was, if not the most striking of all the in-

[4] These were created on the 4th of January, 1803.

dications of his great scheme, that which appealed most directly to the popular comprehension; for it was from the multiplication of the effigies of their kings upon the precious metals, which they coveted so ardently, and earned so hardly, that the people derived their clearest idea of the existence of those kings and of their power.[5]

The re-establishment of several monarchical symbols in succession, of former customs of the court, of various external marks of the former inequality in rank, served to point out the aim and reveal the motive of this legislation, which was so appropriate to his plans for the future.

The principles of liberty were attacked with increasing impudence and contempt from day to day, in the newspapers and by hired pamphleteers. The authors of those shameless apologies for a despotism already all-powerful, but which aspired to the names and the forms held sacred by old prejudices, never relaxed in their efforts to inspire hatred and contempt for the Bourbons; thus following the example that had been first set them by Bonaparte, who took care to renew it on all occasions. The police hunted up any men who still dared to write in favour of the dethroned princes, with the utmost zeal, and prosecuted them with unrelenting severity.

It is, however, believed that about the same time proposals were made to the princes on the part of the

[5] The draft of the act on the new coinage was presented to the Legislative Body on the 19th Ventôse, year XI. Clause xvi. enacts that the head of the First Consul, with the legend "Bonaparte, First Consul," should be placed on one of the faces of the coins.

First Consul that they should settle down in certain distant lands, which should be assigned to them as their own property.[6] It was even proposed to make over Louisiana to them, and the King of Prussia undertook to convey the offer on behalf of Bonaparte. Whether this method of negotiation was seriously contemplated or not, it is very easy to perceive Bonaparte's motive in proposing it, and the nature of the advantage he would have derived from its success. By re-establishing the rank and order of things from which the Bourbons had fallen, he was necessarily about to give a more serious and more legitimate character to their pretensions than they could have while they were in opposition to the Republic, and, the situation of Europe being one in which both violence and uncertainty prevailed, those pretensions might furnish pretexts for a fresh war against France. Bonaparte would therefore have done a merely wise and prudent thing by establishing the Bourbon princes in one of the far-off possessions of France, while the act would have had the appearance of magnanimity. But the reasons which led him to make them such offers were precisely those which ensured their refusal of them. Let me return to the position of the Republic. It was just this: day by day the rumours of its destruction increased in consistency, and were more widely believed. Already, it was less a question of creating new things than of calling those things that had been created by their right names.

Two unforeseen events occurred to interrupt the

[6] [Marg. note.] "This is a fact, and it is even true that hints were given on the subject at Lunéville."

prosperity of Bonaparte, and to suspend the execution of his projects. The first was the news of the disasters which befell the French army at St. Domingo, and the death of Leclerc.[7] His personal sorrow on this occasion might well be softened by the condolence of the great bodies of the State, and the great display that was made of mourning for the individual of whom he had spoken as *our brother-in-law*.[8] As for the loss of a portion of the picked troops of the French army, which, although it had not happened, was foreseen to be inevitable, that misfortune might be alleviated by the reflection that those picked troops had been carefully selected among the soldiers who had been victorious under Moreau only.

There were, however, three causes which rendered it impossible for Bonaparte to regard the disastrous issue of the expedition to St. Domingo as a slight or dubious defeat. These were, that he had thrown away nearly 25,000,000 of francs on the preparations for it; that he had imprudently lavished insults and threats upon a race of men who had avenged themselves; and that he had in vain restored a code of inhuman laws upon a territory which seemed to have escaped from his possession for ever.

Nevertheless it is evident that the reverses experienced at St. Domingo did not suspend the cherished designs of Bonaparte for long, if indeed they postponed them for a single moment. A more serious obstacle shortly arose in the message of the

[7] General Leclerc died on the 3rd of November, 1802, at St. Domingo, whither his wife, Pauline Bonaparte, had accompanied him.

[8] [Marg. note.] "He thought that merely to give him that name was to render him illustrious."

King of England to the House of Commons, on the 8th of March, 1803 (17th Ventôse, year XI.), announcing the rupture of a peace which was not yet a year old.

England, of all the European powers, had suffered the least by the war of the Revolution, and lost the least in those resources of all kinds which every war must of necessity consume. England possessed more ample means than any other country of renewing the strife so recently terminated, and was the most disposed to do so from the special character of its government; nevertheless it will certainly be regarded by future historians as a strange phenomenon in politics that so active a war, one in which so many men had perished and so much wealth had been consumed—a war, too, whose issue had fulfilled the intentions of the enemies of France—could have begun again after so short a truce, and one that had not even been very complete.

Nothing is so striking in the consideration of this war, or rather, renewed war, as the evident contrast between the motives put forward as leading ones, and the gravity of those which were alleged to be merely accessory or subordinate. The two Governments appeared to be disputing with each other about a barren rock in the Mediterranean, but they were actually disputing the privilege of exercising—each in its own way and in opposite directions,—a sort of preponderance in the interests, the affairs, and even in certain respects in the civilization of Europe.

Bonaparte had not waited, in order to find fault with England, until the Government of Great Britain

refused to fulfil the clause of the Treaty of Amiens concerning the restitution of Malta. From the earliest days of the peace he had regarded the freedom of English opinion and judgment upon him as a continuation of hostility. It was not enough for him to be delivered from the English fleet and its admirals, unless he were at the same time relieved of the English press and its journalists. He found it excessively inconvenient to have to wage a new kind of war against these swarming foes, a war in which he had to turn journalist himself. He had given expression to his displeasure with what he called "the licence" of English newspapers and parliamentary debates. He had even been so foolish as to tender indirect advice to the British Government to repress that licence, and had carried his anger and folly to the point of upbraiding the King of England and his ministers for tolerating it, while he had set them an example which they would do well to follow, by suppressing certain writings insulting to the Government of Great Britain that had been printed in France without his orders or his knowledge.

It will be remembered that he had instituted judicial proceedings, through his ambassador, against one Peltier, a French "émigré" who lived in London on the profits of an anti-French newspaper.[9] This pro-

[9] Jean Gabriel Peltier, born at Nantes, died in Paris in March, 1825. His Royalist writings, and his contributions to the *Actes des Apôtres*, forced him to leave France after the 10th of August. He retired to London, where he continued to publish pamphlets and newspapers against the French Government. Among these were *Le Courrier d'Europe*, *Le Courrier de Londres*, and *L'Ambigu*, *Variétés atroces et amusantes*. It was probably for the

secution had aroused a great public scandal, and had injuriously affected the honour and glory of Bonaparte, without affording him the hardly heroic and indeed scarcely prudent satisfaction of revenge upon a person to whose malignant assertions he merely gave importance by taking any notice of them. However, the fact was that the mere existence and vicinity of a country in which every individual might assume the right to judge his (Bonaparte's) character and conduct as he pleased, with impunity, and whose united voice echoed throughout the whole world, formed a perpetual source of exasperation to him, and was an irremovable obstacle.

From this it may be supposed how deep and bitter was his resentment against the Government of that country, when it set itself to oppose the designs which he had formed, and declared war at the exact moment when he was about to cull the last and sweetest fruits of the brief peace.

At this point it becomes necessary to a correct understanding of the respective grievances of the British Cabinet and the First Consul, that I should briefly summarize the foreign policy of the latter, and his views upon those countries in which he exercised influence that was the combined result of the various chances of the Revolution.

Bonaparte had formed the project of uniting and concentrating in his own hands, not only all the

latter journal, which began in 1803, that Peltier was prosecuted before an English court by the Consular Government. This ill-advised proceeding, which made a great sensation, aroused public opinion in England against Bonaparte. Peltier was sentenced to pay only small damages and the costs, and the amount was immediately covered by a public subscription.

authority of the French Republic from within, but also all its influence upon neighbouring countries, and from the execution of that project there necessarily resulted a state of things very strange in itself, and in relation to the common notion of the political balance of Europe.[1]

Several states, all independent of each other, and each governed by its own laws, were to form the various portions of one and the same empire, under the rule of one and the same hereditary and absolute chief, who should have a special right over, and a particular title in each of these different districts of his dominion. This would be a shadow or revival of the empire of Charlemagne. It is not surprising that from an early date, Bonaparte should have adopted Charlemagne as one of his favourite heroes; his pride had long been pleasantly fostered by the parallel drawn between himself and the great mediæval monarch. No parallel was more frequently repeated by his flatterers, under circumstances in which it was more easy to discern its motives than to foresee its consequences.

It is true that Bonaparte could not have hoped to secure a realm so vast as that which owned the sway of Pépin's son; but the glory of founding one of his own, in spite of the interests and opinions of now

[1] [Marg. note.] "Bring out this general idea, that in his operations upon the interior of France, the foreign powers had several reasons for being well pleased with Bonaparte; for he had crushed one of those results of the Revolution from which they had most to fear. Also that he had not begun to displease them until he revealed his pretensions outside of France, by his imprudently displayed ambition in the direction of certain foreign countries."

existing Europe, must have more than compensated him for an inferiority of that kind.

If this scheme, whose execution, although in the initiatory stage only, had begun to encounter some obstacles, and had even undergone several important modifications already, proved finally successful in Bonaparte's hands, an entirely new spectacle would be witnessed in history. An empire which, without being founded upon either the real consent of the nations composing it or even upon conquest, would carry the world back to those barbarous times when peoples, separate in interests, customs, and laws, became the common property of a conqueror, who was as many times over a despot as he numbered states bearing his yoke. It would seem that no political project could be more contrary to the present spirit of European civilization than this one. For a long time past, the various powers, while aggrandizing themselves, had tended only to unite greater masses of men under one and the same system of administration and law. The actual effect of conquests in Europe is to diminish the political barriers by which the population of Europe is divided, and the sum of national interests are placed in opposition or discord. The project of Bonaparte would of necessity have a contrary influence, and would restore to despotism those mighty resources which the progress of reason and education had led us to believe as well as to hope had been wrested from its grasp for ever.

Bonaparte, in forming this plan, which appears to be vast, but is only insensate, could not indeed reckon upon the approbation, or even the indifference,

of the kings of Europe; but he counted upon their recent losses, and the discredit with their respective peoples into which the ill-success of their league against France had brought them. He had more direct and positive ground for confidence in his alliance with Paul I., in whom he had found a support for his plans and perhaps an accomplice in them. Besides, he also had a chance of success and a resource to employ with those powers who were interested in opposing the execution of his designs, and possessed the means of attempting to do so; this was, to propose that they should imitate his example, and to guarantee them the possession of such territories as suited them and upon which they might seize unopposed. This chance was certainly very vague, and its success implied the overcoming of a great many difficulties. But the idea would not be the first scandalous one that certain Governments have borrowed from Bonaparte, nor the first injustice in which they have been encouraged by his example. The island of Elba[1] was the first territory annexed to France by the will of Bonaparte, and without any pretext except the actual occupation of the island. This was the signal for a much more important transaction of the same kind, and the prelude to it. I allude to the annexation of Piedmont, which was proclaimed by a Senatus-consultum of the 24th Fructidor, year X., twelve days after that of the island of Elba. Although Bonaparte experienced no difficulty in dispossessing the King of Sardinia of the richest and most considerable portion of his states, —neither Austria nor England having insisted upon

[1] The Senatus-consultum proclaiming this annexation is dated the 26th of August, 1802.

the interests of that sovereign in the conditions of the peace—nevertheless it was easy to foresee that the union of Piedmont with France, after the completion of all the treaties and without the guarantee of any, could not fail to figure among the causes or the pretexts of war, in case of the renewal of war with any power whatever, even with those powers who had betrayed the interests of the King of Sardinia.

In the unions of territories that had taken place under the Convention, the vote of the united peoples was the title by which the Republic legalized the extension of its frontiers. History must admit that in the majority of cases that vote was obtained either by force or by more or less transparent intrigue ; yet there was a spirit of justice and magnanimity in the principle which regarded the will of the people as the only legitimate ground for aggrandizement of territory, that could not fail to strike even those whose interests and prejudices had to suffer from its application. Bonaparte, who did not desire to aggrandize the Republic, but merely wanted to multiply his own domains, held that he needed no title more specious than the decrees of the Senate to justify the two operations to which I have just referred ; and this at a time when no one could pretend to regard the Senate as anything but the special instrument of one arbitrary will. But if he did not call for the suffrages of the inhabitants of Piedmont, in order to authorize them to declare themselves French, he at least solicited their thanks after he had spontaneously done them that favour. It was not enough for him to receive addresses full of exaggerated expressions of thanks from all the towns in Piedmont, which had been got up

by the zeal of General Jourdan,[3] the then administrator of that country. Deputies from each of the Transalpine Departments came to thank him formally for the union of their country with France. His reply to the address of these deputies was not published in the newspapers; but it contained one phrase that was remarkable, inasmuch as it revealed the kind of ideas and cares which at that time filled his mind.

He may have only wished to moderate the surprise that the annexation of Piedmont to France must needs create in Europe, or he may have intended to give a glimpse of the scheme of which this step was only the prelude; however that may have been, he told the Piedmontese deputies that *as their country had formerly made a part of France*, the remembrance of this fact should make the reunion, which was in every way so glorious and desirable for them, quite simple and natural.

It was true that Piedmont had formerly made a part, not precisely of France, but of the Empire of Charlemagne; and Bonaparte made this significant observation at the moment when the creation of an "Empire of the Gauls" was most talked of; for this was one of the denominations by which it was proposed to designate his realm, when he had destroyed the Republic. Hardly had Piedmont been declared a part of France, ere Bonaparte proceeded to deal with the affairs of Switzerland.

[3] Jourdan was a member of the Legislative Body on the 18th Brumaire. He was excluded from it as an *opposant* on the very day of the *coup d'état*, and detained for some time in the department of Charente-Inférieure. Several months after, on the 24th of July, 1800, he accepted the post of Minister-Extraordinary in Piedmont.

CHAPTER II.

NOTES ON THE PRINCIPAL EVENTS OF THE ENGLISH CONSPIRACY PRIOR TO THE ARREST OF MOREAU.

AT the beginning of year XII., preparations for war with England were going on as actively as ever; the newspapers dealt in reiterated denunciations of the Modern Carthage; everything was being made ready for the invasion, and if any relaxation of activity at all was apparent or suspected, it might naturally be attributed to the obstacles presented by the season. Bonaparte had caused a medal to commemorate his "descent" to be struck by Denon; this work represented a Hercules strangling a Triton whom he had flung down at his feet, and bore on the opposite side the effigy of the First Consul. This is probably the very first medal ever struck as the presage and prophecy of a future event; medals are generally supposed to be commemorative of past achievement. The common talk among the persons about Bonaparte was of the objects of art which England possessed, and of which among them were held worthy of being added to the art-treasures of France. Grave discussions were entered into in detail, upon the measures which were to be taken

for governing England as a conquest, and the official journal, which could only repeat the words, or at least express the ideas, of the chief of the State upon that point, had more than once affected to compute all that so civilized a country as England, invaded by an enemy such as France, could lose. Thus, if by any chance the English had been disposed to regard Bonaparte's descent upon their coasts as dangerous to their liberty only, they would have learned from the mouth of their enemy himself that it was their property and their social existence they must be ready to defend.[1]

But while threats of every kind were thus hurled at England, and the future ruin of the British Empire was foretold in every variety of tone, the present ills and inconveniences of war made themselves sensibly felt. One half of a merchant-fleet that had not had time to get into port before the rupture between the two countries became known, had been captured by the English. The result of this catastrophe, and of the sudden interruption of the circulation of capital, was a number of bankruptcies, the amount being estimated for Paris only at more than eighty millions (francs). Industry had been suddenly arrested in its enterprises, and commerce in its speculations. Agriculture experienced losses proportionate with those of commerce and industry on account of the too low price of grain.

[1] Bonaparte had a newspaper, the *Argus*, in his pay in London, and he continually had extracts from it inserted in the French journals. See, among others, in the *Journal de Paris* of the 16th and 17th Vendémiaire, year XII., pp. 95 and 103, the article entitled, "Des Suites probables de la Descente en Angleterre."

The only very strong and sincere public feeling was that which these losses excited. There was some vague uneasiness respecting both the acknowledged and the secret plans of Bonaparte. People murmured secretly at his ambition and his projects, and ridiculed the proposed "descent;" for everybody was privately incredulous of the success of that enterprise; even the journalists who day after day proclaimed the approaching destruction of "Carthage," and the generals who were already talking, with a rapacity which they assumed in order to flatter the chief of the State, of the immense spoils that were to be the reward of their coming conquest. Otherwise the public mind seemed calm. According to the Government, the whole nation was pervaded by but one idea, and animated by one single feeling, dominant in every class; the desire of vengeance upon perfidious England for the scandalous violation of the treaties. According to the majority of those who spoke of public affairs, the Government was exclusively occupied with one single object, that of securing the success of the expedition against England.

Nevertheless, this was not the case. Behind the stir and bustle of the military preparations against England, Bonaparte concealed preparations of another kind,[2] whose results were to be more speedy and more certain. Under the silence of the nation, so like that apathy in which the evils of servitude are still felt,

[2] [Marg. note.] "The idea with which Bonaparte was occupied, was that of changing the government into an absolute monarchy. He was resolved, having missed his aim in year XI., in his journey to Belgium, to make no more delay."

but not its shame, certain party manœuvres were hidden. These were not very formidable in themselves, but they became so when aided by an external and superior force which gave them an artificial impulse in the first instance, in order to lay hold upon them more readily afterwards.

At this point it becomes necessary to give a brief explanation of the pretensions, the personal capacities, and the respective situation of the different parties.[3] The Royalist party, to which it would seem that Bonaparte's project (by that time well known) to reconstruct the throne upon the ruins of the Republic must needs give fresh strength, and, so to speak, an entirely new life, was, on the contrary, becoming weaker and weaker. The division that had taken place at an early period between Louis XVIII., and the Count d'Artois, had become confirmed. That which the one did at Warsaw the other censured in London, and each of the princes had a Council which, though entertaining the same views, were perpetually disagreeing upon the means to be adopted; so that both were in the habit of hiding their respective plans and proceedings from each other as closely as possible, and of employing agents in France who held no intercommunication and pursued different methods. The party of Louis XVIII. was naturally the stronger, not only on account of the (at least nominal) superiority of that prince's dignity, but (and especially) because

[3] [Marg. note.] "It is indispensable to observe two circumstances which were calculated to give all the authority possible to the parties existing at this period relatively to their capacity. (1) The state of war with England. (2) The certain knowledge of the First Consul's plan for changing the form of the government."

the French Royalists were generally agreed in attributing to him more moderate views upon the terms of his return to France. Nevertheless, the renewal of the war in year XI. had restored some apparent importance to the Count d'Artois and his council. At the first rumour of the rupture he had hastened from Edinburgh to London, and offered his services to the English Government with as much petulance and pretension as though he had been accustomed to serve it. The mere fact that the Count d'Artois was in contact with the English Government would give some preponderance to his party over that of Louis XVIII., at least while England continued to be the only power at war with France; because the latter prince could only act from Warsaw; that is to say, from the headquarters of a power that rendered Bonaparte an insincere homage, it is true, but homage so marked and frequent that it was quite as useful to him as if it had been genuine.

This division between the two heads of the Royalist party was not the only one that existed. A third party had been formed, at the expense of the two others, in favour of the Duke d'Enghien. This young prince, who united greatness of mind and nobility of character to several brilliant qualities, had become the idol of many royalists, who, while persevering in a hitherto unfortunate cause, imputed all its humiliations and reverses to the want of capacity, character, and courage in Louis XVIII. and his brother, and thought its success would be certain under another chief. This party was increasing daily, and gaining deserters from the other two parties, who agreed in regarding Louis XVIII. as too weak, and the Count d'Artois

as too ridiculous, because he kept up the petulant presumption that only success could justify, while his position was that of a beaten and fallen man. This is a fact attested by the correspondence of the French Royalists who had remained out of France, and by the plain utterances of many who had long since returned to their country.

As for the Orleans family, if they had then, or have now, any partisans, which I greatly doubt, those partisans were not, and are not, to be found among true royalists.

At the beginning of year XII., the royalists of Warsaw and those of London each had their separate and independent agents in London. The agents of Louis XVIII. were very few in number, and at the head of them was Baron de la Rochefoucauld, and, I think, a M. de Roquefeuille. They formed a committee whose operations were restricted to correspondence with Louis XVIII. on the actual and possible state of France. But the members of this committee had not, according to all appearances, either the relations, the credit, or the character that could have made conspirators of them. Certain persons even went so far as to doubt the sincerity of the zeal of the men who composed it for the cause of Louis XVIII.

The party of the Count d'Artois in France was much better organized, more numerous, and stronger. Georges[4] had landed in France near the end of year

[4] Georges Cadoudal, generally designated by his Christian name, one of the most famous of the Chouan chiefs, was the son of a miller in the neighbourhood of Auray. After having accepted the pacification (9th of February, 1800), he went to Paris, where he saw Bonaparte. On the 14th Ventôse, year

X., with a certain number of agents, and these were quickly followed by others. It is too soon to speak of this party so as to convey an idea of its real strength; it suffices at this point to record its existence.

A second party, which seemed to have recovered some of its activity at about the same period, was that one generally called the Jacobin party, and entirely composed of men who, although their conduct in the most deplorable events of the Revolution had been widely different, were all agreed, if not in their ideas upon the Revolution, at least in the intensity of their feelings with respect to it. These men had been deprived of place and credit, firstly, by the events that ensued upon the 9th Thermidor, then by the Directory, and lastly by the revolution of the 18th Brumaire; they had no real influence, and were objects of general odium; but they were still strong in numbers, and in the obstinacy that always goes with exaltation of feeling in ignorant minds, and they had not renounced all hope, if not of recovering their former weight, at least of witnessing a change in the order of things that had been established in France by the 18th Brumaire.

The Jacobins had been the first to attack the hero of that day, and they did not confine themselves to

VIII., Bonaparte wrote to General Brune: "I saw Georges this morning. He appears to me to be a big Breton, whom it will, perhaps, be possible to make use of for the interests of the country." Georges Cadoudal, however, refused his offers, and retired to England. He came back from thence, it is said, to prepare for the execution of the attempt on the 3rd Nivôse, and afterwards returned. He landed in France with Pichegru, in August, 1803, and was not arrested until the 9th of the following March. He will be referred to farther on.

predicting that he would infallibly become a tyrant, having every imaginable means of doing so placed within his reach, but from the very first hour of his power they regarded him as a tyrant. The first pamphlets, the first satirical songs against Bonaparte were written by them, and the first arbitrary acts of the Consular Government, the first deeds of dubious justice by which its severity was revealed, fell upon that party.[5]

The Jacobins were more and more persecuted, and had become weaker in proportion, but the party could not be regarded as destroyed. They had two or three presses in their possession, and they printed pamphlets which were sometimes distributed to the public by clandestine means, but more frequently circulated among themselves only. It seems to me worthy of remark that their experience of events, far from having cooled the ardour of their ideas and sentiments, had but confirmed them in their passionate love of liberty. In Bonaparte's Government they recognized the best justification of their political principles and sentiments. They knew that they loved and recognized liberty, by the strength of the instinct which led them to revolt against tyranny. They had several committees, at which those assembled who still cherished the project of a complete restoration of their party, or who believed that some concert between them was necessary to preserve them from the machinations of a power which hated them, and had on several occasions treated them with severity as arbitrary as it was cruel. But these councils were

[5] [Marg. note.] "Sentence of transportation upon D'Arena and Ceracché, 3rd Nivôse."

summoned much more for the purpose of communicating the well-founded fear with which the Government inspired the Jacobins, than the vain hopes of seeing it overthrown in which they sometimes indulged.

I have now to speak of a third party, almost as widely divided from the other two, and much more numerous than both put together. I allude to the Republican party, and here I must avoid the obscurity and vagueness that attend on the employment of ill-defined words, especially of those which have fallen into popular misuse.

In what sense can it be said that there was a Republican party at the period in question? What is to be understood by a Republican party?

At this period, the spirit of the Government was assuredly no more republican than was that of the Sublime Porte; but its language was still republican in certain respects, and the institutions of the country were republican in form, if not in action and result. In a word, France was held to be a republic, and its constitution, said to have been accepted by more than three millions of votes, was republican in its forms, even after the temporary First Consul had become First Consul for life.

It would seem that in speaking of a Republican party at that period, one must needs refer to the whole nation itself; but it is not in this sense that I mean to speak of a Republican party; for the nation, as a whole, had only a vague presentiment of Bonaparte's intentions, and a still more vague notion of the consequences that might result from them to the tranquillity of France and Europe.

I mean by "a Republican party" only the sum-total of those who, foreseeing ruin, desired to prevent it, whether they had or had not capacity or courage to do so. I will add that I comprehend under that head, all those who regarded liberty as possible in France, who believed that the existence of a national representation voting laws and taxes might suffice for all the need and all the love of liberty which the nation still retained, and be compatible with a single magistracy invested with the executive power for life, but not hereditary. In short, all who regarded the constitution of year VIII., notwithstanding the violation and alteration it had undergone, as a guarantee of such an amount of liberty as was possible after the ills and excesses of the Revolution.

That which made the great difference between this party and the two preceding parties, was at the same time that which seemed to constitute its superiority in strength, and its advantage of position. It had a centre, a rallying-point, so to speak a representation, in one of the authorities of the State; in precisely that authority indeed which had been created to secure the maintenance of the republican constitution. It will be seen, and I hope to make it plain, that this advantage was a pure illusion, but that very illusion forms a portion of the data upon which a sound judgment of subsequent events may be formed, and their causes estimated.

Almost all the men who had been placed in authority after the revolution of the 18th Brumaire, were reputed friends of liberty and the Republic. Almost all those who had co-operated upon that

famous day had repented on the morrow, for they were enlightened by Bonaparte's first words after the victory as to what its consequences would be. A party of decided opposition was very soon formed in the Senate, the Tribunate, and the Legislative Body. I have already alluded to what was done by the Tribunate and the Legislative Body in order to frustrate this opposition. A different method of producing a similar effect was adopted in the case of the Senate. By the Senatus-consultum of the 21st Thermidor, year X., Bonaparte reserved to himself the right of convoking the Senate; he had thus made himself its natural and perpetual president, and he had added to it a certain number of members selected among his own family and his own sycophants. The Senate, having already lost its constitutional strength by passing acts that were in reality attacks upon the constitution, could no longer oppose an effectual barrier to the encroachments of the arbitrary power which had got hold of everything, including the Senate itself. The opposition which had existed in that body since its origin, although always in a minority, was, nevertheless, tolerably strong. It had numbered twenty members at a time when the Senate was composed of only about fifty; but fear, feebleness, and corruption had speedily reduced it to fourteen or fifteen. When the life-consulship was carried, the opposition had dwindled to seven or eight, and we shall find it afterwards still smaller in number and more insignificant.

However, weak as it was, this party made Bonaparte very anxious and uneasy, and his apprehensions

might have proved well-founded if only eight or ten men could have screwed up their courage to the point of interrupting the flattery and subservience by which Bonaparte's enterprises were aided, by a solemn protest, and the simultaneous resignation of their seats.

The foregoing brief sketch of the various parties then in declared or secret opposition to Bonaparte's plans, will have made it evident that none of them were very formidable, not only for want of resolution and capacity, but still more for reasons presently to be disclosed.

The principal cause of the weakness of these parties was the lack of a leader who would have had the national feeling in his favour. It was indispensable to their success to have a standpoint in the nation or in the army; now, the nation, although discontented, could not take any real interest in projects whose object was either the restoration of its former rulers, or the preservation of liberty which it was prepared to resign; hence it had not enough energy to favour any particular party. The army had retained more of its former character, but among its famous generals, some were degraded by their own cupidity, and the favours and bribes of Bonaparte; while others, harassed by his suspicions and the vigilance of the police, lived far away from the army; for their influence over it might have assumed a form that would have subverted Bonaparte's designs.

Among the latter, and occupying a place apart, was Moreau. From him it seemed that the Republic might have much to hope, for not only had he won more battles than any other general, but he had also displayed more of the virtues of a citizen.

The position of Moreau, in open dissension with Bonaparte, rendered him peculiarly fit to be the head of a party, had it been in him to assume such a character. I will endeavour to explain why this was so, by referring to previous events, but I shall confine myself to such matters only as throw a light upon the occurrences which I propose to narrate.

The origin of the dissension between Moreau and Bonaparte must be sought for so far back as the middle of year IX. It appears the reluctance with which Moreau consented to detach 20,000 men from his own troops, who were then occupying the heart of Germany, for the support of Bonaparte in his expedition into Italy, was resented by the latter. In Germinal of the same year [6] the official journal (in which, even at that early period, no article concerning affairs of state was inserted without either positive orders from Bonaparte or his authorization) stated that the pay of Moreau's troops had been furnished by the public exchequer from the date of his assuming the command in year VIII. This was a gross falsehood, and Moreau replied to it on the 29th Floréal, by a letter addressed to the Minister of War, in which he rendered an account of the state of the funds which had maintained his troops, and their origin. By this it was shown that Moreau had received about eighteen millions (francs) from the Treasury, and that he had levied war-contributions to the extent of forty-four millions in Germany.[7]

[6] See the *Moniteur* of the 12th and 13th Germinal, pp. 809 and 819.

[7] He gave an account of the expenditure of 36,000,000 out of the latter sum, and stated that he had reserved to himself the use to be made of the 7,000,000 of surplus.

By Moreau's own admission, the greater portion of the latter

When Moreau re-entered France with the army whose victories had secured peace, precautions were taken for the dispersion of its various corps; for Bonaparte held Moreau as dangerous as he might have proved had ambition been his ruling passion. On the general's return to his own home he became an object of unremitting suspicion to Bonaparte and the police. His manner of talking, whether in jest or in earnest, made it sometimes evident to the point of indiscretion that he did not rate Bonaparte very high. He lived with his family amid a rather frivolous society, at a time when it might have been less dangerous to be famous and held in esteem by the nation, this would have been little worthy of a man who had just done such great things for the country. He was not, however, wanting in pride on occasion,[8]

sum had been distributed to the troops as gratuities. These gratuities had enriched no one; those granted to the generals did not exceed 50,000 francs. Moreau sent a copy of his letter to the Minister of War to each of the newspapers; but an order from the Ministry of War, or probably from the Ministry of Police, forbidding them to publish it, reached them at the same time.* While the newspapers were silenced by this prohibition, certain persons who had constant access to Bonaparte, and willingly acted as echoes of his words, went about repeating—with an air of mystery well calculated to give weight to their assertion—that Moreau had laid hands on one-eighth of the war-contributions for his own profit.

[8] [Marg. note.] "He said things which indicated much good sense and sound political principles. He sometimes even talked of the principles on which he would govern France, or believed the country ought to be governed. The Government was extremely jealous of him; spies were set upon all his actions, and the meanness of jealousy was carried to the extent of soliciting the cessation of certain social gatherings which he was in the habit of attending, and whither a number of foreigners who were eager to see and know him resorted."

* Moreau had it printed, and Fauriel possessed a copy. For the text, see Appendix.

and when he was in society where he thought that the services he had rendered to the Republic would be properly appreciated, he sometimes spoke as a man who felt that he had given peace to France, that same peace whose fruits were all usurped by another. He had few friends among the generals who had served under him, and who had been the companions of his victories; some were suspected, like himself, the others were sent to posts at a distance.

Such being the state of things, it is not at all extraordinary that the various parties looked upon Moreau as a man who was very likely to become an active enemy of Bonaparte and his projects, and were disposed to make attempts to gain him over to their respective views, so as to avail themselves of his renown for the execution of their plans.

Moreau was, however, prohibited by the nature of his opinions and by his character from entering into relations, or sympathizing, either with the Jacobins who regarded him as a royalist, or as ready at any moment to join the Royalist party, or with the pure royalists who did not put upon him the affront of considering him as belonging to them. A conscious indecision in his opinions and in his political feelings probably contributed to make them look upon him as a possible conquest to their cause, and to lead them to think that after having won so many battles for the Republic, he might at last resolve to try and win one for the restoration of the Bourbons, and thus expiate the others.

It is, however, quite certain that Moreau had never entered into relations, or taken any step

whatsoever, which could authorize the royalists to entertain any hopes of the kind. Such an alliance was not in the nature of things, as I shall show more conclusively when I explain what was done to bring it about, to what influence those efforts were due, and what results ensued.

The truth is that the men with whom Moreau sympathized in politics were only five or six who formed a portion of the minority of the Senate, and that he had communications with only two or three of these. Their confidences were confined to barren aspirations towards a better state of things than that actually existing, and equally barren regrets for the latter: this they regarded as shameful and fatal for France, and, nevertheless, it was only the prelude to a still more deplorable condition. Neither Moreau nor this handful of men had any settled plan of opposition to all that Bonaparte was preparing to do, or for the undoing of what he had already accomplished; they had neither means nor courage for the task, and, if I am not much mistaken, he who had won battles did not display less weakness and irresolution in the course of those communications than others. Bonaparte could not have regarded them as conspiracies had he not felt that his projects and his conduct were legitimate sources of conspiracy. Moreau found all his pleasure in the repose and indolence of domestic life; he avoided every appearance of action, and was in fact as harmless as he seemed. He was regarded with universal favour, and so great was the general apathy and cowardice, the people seemed to be pleased with him for disguising from himself the state of the Republic,

and appearing unconscious of Bonaparte's fears and suspicions, however vain they were.

Such, then, as I have described it, was the state of parties at the period of which I am writing; their natural state, if I may use that term. It may fairly be concluded that those parties were not very formidable to Bonaparte's designs. No man dared to act for himself, each man was waiting until another should take action, and give him a chance of profiting by it. Nothing can be more favourable to the consolidation of despotism than a state of things in which various factions, all opposed in opinion, are known to be enemies of the despot, without having sufficient means to attack him. Despotism obtains an easy victory over them, and its fruits are the same as though the victory had been difficult and the struggle uncertain.

Bonaparte was perfectly well aware of the state of the factions. He was very anxious to suppress and abolish them entirely. He was on the point of re-creating the throne of the Bourbons (this should be constantly borne in mind), and it was of real importance to him at this moment to strike at those who would have no more of the ancient things, and also at those who wanted to have both the ancient things and the former persons restored.

It is, however, difficult for a Government which desires to combine a reputation for justice with the profits of tyranny, to destroy enemies who have not the courage of their enmity, who merely meet in secret to utter irresolute protests, and vain hopes for a success which they dare not put to the hazard. Such enemies

are nevertheless very troublesome to a suspicious and jealous Government that is meditating changes to its own advantage; in the first place, because it is in the nature of things that the fears of such a Government should outrun its danger, and, secondly, because a party which has not enough strength in itself to be formidable, may gain it through an unexpected incident, in a complicated condition of affairs, and when appearances are uncertain.

In such a position, what was Bonaparte to do? I will relate what he did.

He endeavoured to urge those enemies whom he knew, because he had had them carefully watched, to action; to inspire them with resolution and audacity which they did not naturally possess; so that he might be able to come down upon them with more show and publicity, and to punish them with a greater parade of justice: that is to say, to punish the offences to which they had been prompted as if those offences were spontaneous.

I am aware that such an assertion must appear very strange, and I believe it to be a novelty in the history of tyranny. It will date from the French Revolution, and assuredly it will not be one of the least strange results of that Revolution. History records the deeds of tyrants who oppress their enemies, without aiming at any other honours and advantages than those of getting rid of them. The French Revolution will furnish examples, at different periods, of oppressors who incite those whom they desire to destroy to the commission of crime, in order that they may destroy them with all the forms intended for the preservation of innocence from the undue exercise of strength.

However strange the assertion that I have just made may appear, it seems to me that it will be proved by the subsequent facts. But it is indispensable, before I go farther, to allude to a kind of authority equally new in the annals of mankind, that authority which was the instrument of the designs whose fulfilment we shall shortly see: I mean the police.[1]

The police was a creation of the Directory, and of Merlin's especially.[2] At that time the factions were much more active and energetic than they have since been, because their resources included freedom of speech, of the press, and up to a certain point, freedom of political meetings. The Directory soon became arbitrary because it was weak and despised, and it regarded the police as its best defence against its enemies. The police grew and expanded in proportion as the Directory lost ground in public esteem and respect. I believe that the Ministry of Police employed seven or eight hundred spies under Bourguignon, the last Minister of Police but one.[3] The 18th Brumaire rendered much of this vigilance

[1] [Marg. note.] "The police must be spoken of in general, and what it may and ought to be in the Government, stated. That is, an authority which can arrest, transport, and hand over to military commissions, those who are the object of its suspicions. It must be pointed out and insisted upon that the police is by its nature the most liable of all powers to become the organ and special instrument of the personal objects of Governments."

[2] The Ministry of Police was created on the 1st of January, 1796. Camus was the first titular minister, but he held office only three days. Merlin (of Donai), who was then Minister of Justice, succeeded him, and resigned his functions in April, when he had completely organized the service.

[3] Bourguignon Dumolard, of Dauphiné, was Minister of Police from the 23rd of June to the 20th of July, 1799. He was replaced by Fouché.

unnecessary, on account of the national assent to the decision of that day, which gave the Government it created the strength that was needed to prevent it from resorting to arbitrary means. The number of spies was reduced, and greater importance was attached to that portion of the duties of the Ministry which consisted of the suppression and punishment of actual disorder than to the divination of intended disturbances. Most of the dealings of the Ministry of Police with individuals were acts of reparation for the proscriptions that had taken place under the Directory,[4] or at still earlier dates.[5]

The first indication of the falsehood and perfidy of the police system occurred on the occasion of "the pacification of La Vendée," when men who had been only half-conquered by force of arms were finally crushed by stratagem, and those same men, entrapped into fancied security by a perfidious device of the Government, were arbitrarily arrested.[6] The attempted assassination of Bonaparte on the 3rd Nivôse, year IX., confirmed the police in its new characteristics. The enemies whom Bonaparte had made for himself by the Senatus-consultum of the 15th Nivôse,[7] those among the chief

[4] [Marg. note.] "These observations are true only in so far as the Ministry of Police in particular is concerned, but not of the police in general; for its action was divided among numerous agents who were independent of each other. For instance, while proscribed persons were recalled by the Ministry of Police, the vilest intrigues were going on at the Ministry of the Interior."

[5] [Marg. note.] "By degrees, the police became inspired with the spirit of Bonaparte, which, ere it completely possessed that service, had invaded other men, and other authorities.

[6] An allusion to the execution of M. de Frotté, in January, 1800. See M. Thiers.

[7] On the 15th Nivôse, a Senatus-consultum rectified the

authorities who revealed themselves successively by their opposition to him; his dread of being assassinated, evinced as it was by innumerable precautions such as the former kings of France would have disdained to adopt and blushed to admit to be needful —all these circumstances made the spy system necessary, and obliged it to be more adroit, to maintain a more numerous force, and to select its chief from classes less open to the suspicion of plying so shameful a trade. The bodies of special police were multiplied and reinforced. Several of the Ministries had each its special police-force.

The First Consul had his own, and that which had happened under the Directory occurred again under Bonaparte. With each injustice that he perpetrated, according as he declined in public esteem, the police became more suspicious, active, and aggressive. No longer content with setting snares to entrap the enemies of the Government into betraying their intentions and their projects, the police plotted to induce them to commit actions which laid them open to punishment, and those men who had been their pretended accomplices acted when necessary as informers before the courts of law, having previously played that part for the Government.

I will cite a few facts which I believe to be hardly, if at all, known, and it will be easy to judge from them what the police under Bonaparte was, even in the beginning, and what it was capable of being made in his hands.

decree by which Bonaparte had condemned 130 persons to transportation as "Terrorists."

Shortly after the 18th Brumaire, Bonaparte, who was already irritated by the opposition which had begun to manifest itself in public opinion and feeling, bethought him of a means whereby he might secure the power of punishing that opposition at his pleasure. He employed his brother Lucien to get a pamphlet written, in which he was decried, his government attacked in unmeasured terms, and his character aspersed by the grossest calumny and abuse. All the persons believed to entertain the sentiments manifested in this pamphlet, and to be desirous of disseminating them, were named. Now, side by side with the tarnished names of a few demagogues who had neither place nor influence, were those of some men who held high office and bore themselves with independence. It is said that Fontanes was asked by Lucien to write this pamphlet. He was known to be so vile that such a proposal might be made to him, but he was not vile enough to accept it.

To the best of my belief, it was a journalist named Isidore Langlois[8] who did the dirty job. Langlois had been expatriated in Fructidor, year V., and was employed, at this time, by Lucien, in his office, where he acted as a spy for Fouché. I will name him because he is dead; and because a stain the more upon his already dishonoured name[9] cannot do him

[8] Isidore Langlois, born at Rouen on the 18th of June, 1770, editor of the *Messager du Soir*, and one of the journalists proscribed after the 8th Fructidor. He was recalled after the 18th Brumaire. I have not been able to find the pamphlet which Fauriel attributes to him.

[9] "General Hoche, having been insulted by him in the *Messager*, retaliated by a truly military revenge," says the "Biographie Moderne," 1807, Leipzig, vol. iii. p. 68.

a real injustice, even though it were an error, which I do not think it is.

Another circumstance, one which is an unknown incident of a well-known event—the attempt of the 3rd Nivôse and the measures which ensued upon it—may give an idea of the manner in which Bonaparte used the police administration for his own purposes. When the list for transportation of thirty-five so-called ringleaders was made, the police and Bonaparte himself were well aware that the strongest presumption respecting the authors of the plot attached to the Vendeans, but none to the Jacobins.[1] But Bonaparte saw that the occurrence would furnish a favourable opportunity for undermining a party whom he dreaded, and whom he might persecute with impunity because they were odious to the nation.

A list of men belonging to the Jacobin party, who were reputed to be especially dangerous, was then drawn up, and so hurriedly was this done that it included the names of some who were dead, and others who were absent from Paris. When the available ones on the list had been transported, and before the police had laid hold of the real clue to the conspiracy, which terminated in the Royalist party, certain enemies of Fouché wanted to force him to declare, in the presence of the Consul and at the Council of State, that as the men who had just been sent out of the country, were held guilty of the out-

[1] "Some instinct," said Fouché to Bourrienne, in 1805, "told me that the 'infernal machine' was the doing of the Royalists, I said so, privately, to Bonaparte; he, I am certain, was equally convinced of the fact himself; but nevertheless he persisted in proscribing a hundred men." ("Mémoires de Bourrienne," vol. vi. p. 293. Thiers gives very full details of the attempt, and its consequences. Book viii.)

rage of the 3rd Nivôse, no other persons could be prosecuted on the same charge. The First Consul, having no longer any interest in disguising the real motive for the transportation of the unfortunate Jacobins, took the trouble of replying personally to this interpellation addressed to Fouché, and informed his hearers that the police were to be in nowise hindered in their search for the originators of the plot; because the men who had been transported as such deserved that punishment, and their exile was a measure of public safety, even supposing they were not guilty of the crime imputed to them.

The dismissal of Fouché from the post of Minister of Police led to a transitory notion that at length that office was about to be reduced in importance, and the methods by which it worked to fall into disuse by the Government. As a matter of fact, Regnier's[2] administration was quiet and easy enough. Several minor acts of an arbitrary kind were indeed done by him, but none of the bold and glaring sort that had been perpetrated under Fouché. This change may possibly have arisen from the different characters of the two ministers, or it may be accounted for either by the union of the Ministry of Police with that of Justice, or by Bonaparte's preoccupation with the renewal of the war with England, which so absorbed him that his attention was diverted from the factions.

All the previous achievements of the police were, however, destined to be surpassed by the audacity and refinement of perfidy which was developed within an interval of six months. What I have already said

[2] He was Grand Judge.

has only indicated what the police might become; it is for facts to speak now.

I must again refer to a former period, in order to trace out the origin of the conspiracy in which Moreau is held to have been an accomplice, and to explain many deeds of Bonaparte's to which it served as a pretext.

Bonaparte's first manifestation of an intention to ruin Moreau dates back to year X. A certain Abbé David,[3] whom we shall soon find figuring among conspirators of a new kind, had been intimate with Pichegru, Moreau, and several other generals of the army of the Rhine; and he had been employed there after having undergone many metamorphoses in the course of the Revolution; for he had always been ready with opinions and conduct to suit each change of circumstances. After a long absence, caused by Pichegru's defection in year V., David returned to Paris, subsequently to the 18th Brumaire, and had passed nearly two years there without

[3] P. David, curé of Pompadour, and afterwards of Uzerche, embraced the cause of the Revolution, was Secretary-General of the Department of the Pyrénées Orientales after the 8th Brumaire, and afterwards (in 1801) Vicar-General to the Bishop of Limoges. Having come to Paris, he endeavoured to effect a reconciliation between Moreau and Pichegru, was arrested at Calais (22 November, 1802), transferred to the Temple, brought to trial with Moreau, and acquitted. In 1796, he had published, at Hamburg, the "Histoire Chronologique des Opérations de l'Armée du Nord et de celle de Sambre et Meuse, depuis Germinal an II. jusqu'au mêmemois de l'an III., tirée des livres d'ordre de ces deux armées." It will appear, farther on, that Fauriel treats him as a mere buffoon, and with good reason, judging by the pamphlet which this former curé published in Paris in 1817 (Le Normant), under the title, "Seconde épître de M. l'Abbé Siccard, ou Histoire en vers burlesques d'une partie des folies et des crimes du corse empereur depuis son entrée en Egypte jusqu'à sa déportation à Sainte Hélène."

having seen Moreau. At last, on the 6th Prairial, he asked for an interview with the general, in order to ascertain how he was disposed towards Pichegru, and to avow his intention of endeavouring to effect a reconciliation between them. Moreau received David's overtures coldly, conveying by his manner that he entertained no personal enmity towards Pichegru, but that he regarded him as utterly lost in the estimation of the French by his betrayal of his country in year V.

While he was thus opening negotiations with Moreau, David imparted his proceedings to several generals, among whom were Macdonald and Dejean, and also to senator Barthélemi. They all approved of the proposed reconciliation, and the two generals even undertook to procure permission from Bonaparte for Pichegru to return. Their petition was absolutely rejected, but in such a way as to imply that the refusal was rather the effect of circumstances which prevented its being granted at the time, than absolute and irrevocable under others which might arise.

David immediately wrote to Pichegru, who was in London, informing him of what was going on. He announced his intention of effecting a reconciliation between Pichegru and Moreau, and confidently assured the former that the latter would make no opposition to his re-entering France, but would even assist him in doing so, if he had the power. This assurance had been conveyed in two or three letters addressed to him by Moreau, and in those letters, the general, while freely expressing his unfavourable opinion of Pichegru's conduct, had been careful to convey his personal goodwill towards him.

The police were in full possession of all David's overtures to Moreau, and all Moreau's answers to David, and this fact might have cast some suspicion on the intentions of the latter. Moreau did indeed feel some uneasiness respecting them, only that David's indiscretion was sufficient to exculpate him from charges of a more serious and disgraceful kind. He lived in a boarding-house in Paris, where he saw a number of people of all sorts, and of the most various ways of thinking, every day, and he boasted over and over again in their presence of his project for the reconciliation of Pichegru and Moreau; moreover, it is said that he added a mysterious insinuation, which, if not an act of treachery, was at least an egregious blunder on the part of a man accustomed to political intrigues, and who was not ignorant of Moreau's position with respect to the Consular Government. He had talked of Moreau's reconciliation, not only with Pichegru, but with a great personage whom he did not name, but who could be no other than Bonaparte.

At the beginning of year XI. the Abbé David resolved upon going to London, either because he had some personal matters to look after there, or for the purpose of discussing the affair of the reconciliation with Pichegru in person. He made no secret of this journey; according to custom he asked for a passport at the Prefecture of Police: this he obtained, and forthwith set out. He encountered neither opposition nor obstacle until he reached Calais, on the 1st Frimaire; but there he was arrested, with preparations and precautions which proved that orders to that effect had been sent in advance of him. His papers

were minutely examined, and among them were found the copy of a note written to Moreau, and a letter from Moreau himself relating to Pichegru, and containing, so to speak, his profession of faith with respect to him. The papers were carried off and sent to the Grand Judge, who might just as well have had them seized, and the man in whose possession they were, arrested at Paris. The designs of the Government in regard to Moreau were, however, much more effectually served by the arrest of David at Calais, almost upon the frontier of England, and in the course of a journey whose object was a visit to Pichegru for the purpose of bringing him and Moreau together. The joy displayed by Bonaparte's partisans on learning the arrest of David, and the seizure of Moreau's letters, and the threatening hints that they let fall, proved sufficiently what kind of advantage it was proposed to take of the occurrence. They had counted on the imprudence of Moreau, on his tenderness towards a former friend, which might easily be represented as criminal. They found widely different testimony to Moreau's sentiments. It was proved under his own hand, that while he bore no personal resentment to Pichegru, he had not forgotten his treachery to his country. Moreau remained perfectly quiet amid all the noise that the Government made about this occurrence, and the stir subsided by degrees. David, who had been brought to Paris and questioned very roughly and with threats, was released at the end of a few months; so, this plan of encompassing Moreau's ruin having proved abortive, in spite of its fair promise, other means had to be sought.



We shall see by what a roundabout way the Government thought they had at last ensured success.

I have now to speak of a man who had already acquired notoriety in the course of the Revolution by the violence of his opinions, and afterwards increased his celebrity by conduct of a kind which the meanest men, those who had the very least claim to public esteem, had hitherto carefully concealed when guilty of it.

This man was Méhée ;[4] and Méhée, who had not

[4] Jean Cl. Hipp. Méhée de la Fouché, born at Meaux about 1769, died at Paris in poverty in 1826 ; he was the son of a professor of medicine at Val de Grâce. The following is a sketch of his life before Fauriel brings him under notice. A secret agent of the revolutionists in Poland and Russia, he was hunted out of those countries and returned to Paris in 1792, just in time to be made Recording Secretary to the Commune called that of the 10th of August, and is said by his enemies to have taken part in the September massacres. He was imprisoned for some time under the Terror, and after the 9th Thermidor he published various pamphlets against the Jacobins. He was Secretary to the War Department, and afterwards to that of Exterior Relations (1795—1796), and it was probably in the first of those posts that he had been enabled to render certain services to Bonaparte. After the 18th Brumaire he was entrusted with the editorship of the *Journal des Hommes Libres.*

He has related with impudent frankness, supporting his statements by several original documents, the schemes to which he resorted to entrap the Royalist party and the English Ministry. His book, published at the expense of the French Government, is entitled, "Alliance des Jacobins de France avec le Ministère Anglais." The Jacobins are represented by citizen Méhée, and the English Ministry by Messrs. Hammond and Yorke and Lords Pelham and Hawkesbury. He gives as a sequel Drake's "Stratagems, Correspondence, and Plans of Campaign," &c. The book was printed at the Republican Printing Office in Paris, in Germinal, year XII., and sent by the Minister of Exterior Relations, with a report from the Grand Judge, to the members of the diplomatic body. The originals of the letters written by Drake which were contained in the book were addressed to the Elector of Bavaria, at whose court

yet fallen from the height to which he had been raised among the demagogues, regarded Bonaparte as a kindred spirit. The two were united by agreement of opinion, more than by any other bond. Méhée, who had been the most powerful of the two, up to the 13th Vendémiaire, had given all the aid and assistance to Bonaparte which the less fortunate of two friends is entitled to expect from the other. He had been secretary to the famous Commune of Paris during the revolutionary turmoil, and under the Directory he was appointed Historiographer of the French Republic. I do not know what he ever did towards fulfilling the obligations of that post, but we shall soon see what manner of man the Directory had selected as an historian. His chief occupation under the Directory was the management of the *Journal des Hommes Libres*, which Fouché bought and continued, under his own management, until close on the 18th Brumaire. Méhée was retained as the editor of that journal, and was thus brought into immediate contact and indirect connection with Bonaparte. This was a perilous position. At that period the press had already been subjected to numerous restrictions, and to an oppressive inquisition which made its semi-freedom at once dangerous and difficult. The number of newspapers had been reduced, by a consular decree, from fifty or sixty to twelve,[5]

Drake represented England. (*Journal de Paris*, 29th of March, 1805, p. 1198.)

[5] On the 17th of January, 1800, a decree of the Consul had reduced the number of newspapers, not to twelve, but to thirteen (including the *Moniteur*). The following is a list of those which escaped suppression, for awhile at least :—*Le Moniteur Universel, Le Journal des Débats, Le Journal de Paris, Le Bien Informé, Le Publiciste, L'Ami des Lois, La Clef du Cabinet, Le*

and these twelve privileged newspapers were liable to the habitual censorship of the police. Nevertheless the last remains of the formerly existing licence of the press still sufficed to give it a show of freedom, and for some months after the 18th Brumaire most of the journalists who had been permitted to survive more or less boldly and persuasively supported the opposition to Bonaparte that was manifested in Paris and among the authorities, in proportion as he lost his reputation for heroism and the love of liberty.

Méhée was among this number, and, notwithstanding the reiterated rebukes of Fouché, who was to a certain extent responsible in the eyes of the Consul for all that was displeasing to him in the *Journal des Hommes Libres*, he frequently gave offence to Bonaparte, either through malice or because it is impossible to avoid displeasing an all-powerful man who will not suffer anybody except himself to enjoy freedom of thought. He talked in the same spirit that his journal displayed; he even wrote a pamphlet against an elaborate note in which Senator Garat sought to prove that the great personages who had risen to power by their renown in arms had been at the same time friends of liberty.

In the summer of year IX., Méhée told a story of Talleyrand's ridiculous humouring of the First Consul, under the form of an eastern apologue. It was to the following effect. Bonaparte wanted to shoot in a place where there was no game, and Talleyrand, having bought several dozens of rabbits, had them turned

Citoyen Français, La Gazette de France, Le Journal des Hommes Libres, Le Journal du Soir, Le Journal des Défenseurs de la Patrie, La Décade Philosophique.

loose on the ground the day before. The rabbits proved to be so tame that they could be killed only by kicks.

This, and some other articles, led to the suppression of the journal, and shortly afterwards to Méhée's banishment to Dijon, without any apparent cause except what had passed respecting the newspaper, and the manner in which Méhée had presumed to speak of his former comrade, now the sole and supreme head of the Republic.[6]

Fouché, who was regarded as Méhée's patron, and who ought to have protested against the First Consul's anger, was forced to act as its instrument; he it was who conveyed to Méhée the order to withdraw to Dijon, and induced him to obey it. This exile was of short duration; in five or six weeks Méhée obtained his recall, and returned to Paris. He was, however, again arrested and sent to Obéron,[7] either because he persisted in the conduct, or rather in the speeches, that had led to his banishment to Dijon, or for other reasons unknown to me. It is as well to state here that his transportation was effected in so rough and arbitrary a manner that it is almost impossible to believe there was any connivance between Méhée and the police in order to attain a secret object.

Méhée was transported to Obéron, whither several victims of the Senatus-consultum of the 15th Nivôse had also been sent, with some other men of the same

[6] Bonaparte said to Fouché, in an altercation with him, "There's one, Méhée, allowed to write a newspaper; a man who was in the affair of September; I have it all signed by his hand. These are the sort of people you patronize!" ("Mémoire sur le Consulat," p. 102.)

[7] [Marg. note.] "Again Fouché was the instrument of his exile to Obéron."

party who had unluckily displeased Bonaparte. At this point the facts become more singular, more important, more equivocal. I shall not conceal such suspicions as are well founded, but I will only state for fact what I entirely believe.

So far as I can ascertain, Méhée remained at Obéron for more than a year. During that interval Fouché had left the Ministry of Police ;[8] but, as I shall shortly have occasion to relate more precisely, he had not withdrawn from affairs of the sort; and his abiding influence, together with his continued offices about the First Consul, enabled him to use interest for Méhée and solicit his recall. Méhée's wife beset him with entreaties which he could not reject, on behalf of one whom he ought to have protected more effectually against the excesses of arbitrary power.

Méhée escaped from Obéron on the 16th Frimaire, year XI., and from this point the facts begin to assume an equivocal and mysterious character. In the first place, evasion was a difficult feat, for the island was closely guarded, and it was an especially difficult feat in the case of Méhée. Then it was in Paris that Méhée took refuge ;[1] that is to say, under the eyes of the power that had persecuted him, and might persecute him with greater rigour than ever, after an evasion which could only be regarded as an aggravation of his offences against it.

[8] As we have already remarked, the Ministry of Police of which Fouché was the head was suppressed on the 14th of September, 1802.

[1] [Marg. note.] "He asked everywhere in Paris for letters of introduction. One of his friends requested a very well-known Irishman to give him a letter, but was refused."

I leave these considerations to the sagacity of the impartial reader. But it is a more remarkable fact, and one which I regard as quite certain, that shortly before the date given by Méhée as that of his escape from Obéron, his wife said openly that through the intercession of Fouché he had obtained permission to retire to Holland or England. At any rate, when we find Méhée, a few days after his arrival in Paris, forming a plan for going to England in order to mystify the French princes and *émigrés*, it is impossible to refrain from suspecting the spontaneity of such a project. It is not necessary that our curiosity to know the whole truth concerning so singular a circumstance should be satisfied, in order to enable the reader to form a sound judgment upon the subsequent results. Considering the manner in which Méhée's expedition was turned to account, I regard the suggestion as but a trifling aggravation of the transaction.

After a delay of a few days at Guernsey, where he confided his plan in the first instance, and made his first offers of service, to the governor of the island,[2] Méhée reached London, towards the end of Pluviôse, year XI.,[3] bearing letters from the Governor of Guernsey for the English Ministry, who had already been informed by General Doyle of the intentions of the traveller. It was therefore to the English Government that he first presented himself, and with it he endeavoured to effect the negotiation which he had in view.

He represented himself as an enemy of Bonaparte,

[2] General Doyle. See "Alliance des Jacobins," p. 10.
[3] In February, 1803.

eager to be revenged upon him for a long course of oppression, by every sort of means and at any cost. It happened, by a chance that was very favourable to Méhée, and of which he probably knew nothing, that Bonaparte's conduct towards him had been related in London in some detail, and had been much talked of.

It does not appear that the English Government entertained any doubt whatever of the dispositions and the sincerity of a man who seemed to be animated with a desire for vengeance, who certainly had motives for that desire, and who assured them that he had the means of gratifying it. Nevertheless, he was heard with coldness and reserve, and even neglected ;[4] for the peace which still subsisted between the two nations rendered such services as he offered less valuable at that period. It was not until after the rupture that there was any eagerness to welcome him, or sign of a disposition to do justice to his hitherto neglected overtures.[5]

It forms no part of my plan to trace out the incidents and the progress of this unprecedented scheme. Indeed I could not narrate them otherwise than according to Méhée's own recital, and I regard it as necessarily untrustworthy in many particulars. I shall restrict myself to the chief results

[4] See "Alliance des Jacobins," pp. 18 and following.

[5] [Marg. note.] "It is rather remarkable, that at the moment when the English Ministry seemed to accept the proposals of Méhée, he received a visit from one Baude, who had newly arrived from France. Was not this man an envoy of Méhée's employers, sent to communicate to him private advices and instructions relative to the rupture?"

Méhée alleges (p. 31) that Baude, "who had done him at Paris an infinity of small services, was charged to make inquiry into the processes of certain English manufactures."

of this extraordinary affair, and to circumstances which, on the one hand, throw a light on the subsequent events, and, on the other, are authenticated by those very occurrences.

The basis of the plan which Méhée presented to the English Government was simple enough, and might even appear specious to persons who have always been ill-informed upon the true state of things, and the real condition of men's minds, in France. He alleged that there existed a Jacobin Committee, having relations with members of that party in every part of the Republic, and also among the troops, through an influential general who was devoted to it. The proposed aim of this committee was the overthrow of the Government of Bonaparte, and the re-establishment of the Republic. Méhée announced himself as being in intimate relations with this committee, and standing high in its favour, and he proposed to come to France in order to avail himself of these advantages for a double purpose ; firstly, that of inducing as many as he could of the members of the Jacobin Committee to adopt Royalist opinions and act with the Royalist party, and, secondly, to get up a movement and foment disturbances which the English or the princes might immediately turn to their advantage by certain means pre-arranged with that object. This, then, was the plan, which it was agreed that Méhée should carry out in France ; with the addition that he was to pass through Munich on his round-about journey, and there to see the resident English Minister, to take private instructions from him, and arrange in fuller detail certain measures for



the execution of the general plan that had been laid in London.

Careful though Méhée is to put forward this project, and the negotiation that ensued upon it, as the joint action of himself and the English Government, he names M. Bertrand de Molleville as the single and direct negotiator in the matter. Now, M. de Molleville, considering his well-known relations with the French princes in England, must be regarded as their agent with the English Cabinet, and not as the direct agent of the latter. Moreover, the general instructions given to Méhée through this gentleman and under his direction, are very vague, and do not positively define any object except the overthrow of the then existing government of France, leaving to the nation the choice of a substitute. I am bound to mention these two circumstances, because they furnish a ready and natural answer to most of the imputations against the English Government with which all France was soon to ring.

According to Méhée's statement, he intended to confine himself to negotiating with the English Government, and to conceal the result from the French princes. This was a condition rigidly imposed by the English Government, and he had been strongly recommended to observe it by M. Bertrand de Molleville.

Whether such a stipulation had or had not been made, it is at once evident that it could not suit Méhée, and that he must needs disregard it, in order to complete the execution of the plan either made by himself, or traced out for him at Paris. In fact he proceeded to place himself in communication

with certain agents of the Count d'Artois; he had a conference with the Bishop of Arras,[6] a friend of that prince; and procured a recommendation to Louis XVIII. through M. de Merve. His purpose in opening communications with that prince, was to interest him by the double expedient of revealing the secret of the English Ministry, and employing the means that they were to supply to forward his private ends, and also by complaining to Louis XVIII. of the reception which he (Méhée) had met with from the agents of the Count d'Artois, and of the bishop and his advice.

The result of Méhée's conferences with Villot, Bishop of Arras, and Henry Larivière was a strange one.

It seems that they came to no agreement, and he entered into no engagement with them; there was indeed a sort of rupture, or at least an unpleasantness between him and the Bishop of Arras. But the communication of some of his ideas to them, the overtures he allowed to escape him, when talking of the state of things in France in general, and the views and resources of the party of whom he claimed to be the motive power in particular, appeared to make an impression on all his hearers, and it is impossible to doubt that Méhée's object was to inspire them with false notions, which, at a moment when the renewal of the war had revived the hopes of the princes and their party, would

[6] [Marg. note.] "A. A. A. Joyaut, of Arras, born at Ténac, Morbihan, in 1778, had a share in the plot of Nivôse; managed to escape to London, from whence he returned with Georges; was arrested and tried with him, sentenced to death and executed."

not be confined to idle speculation, but must necessarily become the basis of decisive action.

Now we come to the first act in the forthcoming drama of conspiracy. War being decided upon by the Governments of England and France, the French princes, willing for their own objects, to assist the former by employing all the means of hostility they possessed, began to send emissaries into the places that had formerly been the scene of the Vendean war, there to prepare people and things for a fresh outbreak, and to Paris, to observe the state of affairs, to verify what they had been told by Méhée, and other French agents of the same character, or, more probably, to act according to the circumstances as they arose, and to observations made on the spot.

The first batch of these emissaries arrived between the 1st and the 10th Fructidor, year XI. It was composed of seven or eight individuals, including Georges Cadoudal, Joyaut, and a person named Querelle,[7] who took an active part in the subsequent events.

[7] Querelle or Querella, born at Vannes, had served under Georges. He was amnestied in 1800, went to England and returned with him, charged with a mission to the princes in the western provinces. A letter which he was foolish enough to write to his brother, asking him to undertake this mission in his stead, put the police, "whose eyes were everywhere," says the *Moniteur*, on the alert. He was arrested in Paris in Vendemiaire, year XII. Two months later, Picot and Lebourgeois (two other agents of the princes) were arrested at Pont Andemer. All three were brought before a military commission, at the beginning of Pluviôse, and condemned to death. Picot and Lebourgeois were shot; Querelle saved his life at the last moment by giving information to the police at Réal which betrayed that Georges and Pichegru were in Paris, and led to the arrest of their accomplices. He was kept in prison, but they took care not to produce him at the trial, although called upon to do so by several of the accused.

It would be too much to say that these men would not have gone to France if Méhée had not given their chiefs in London false notions which led to its being decided that they were to do so; for, strictly speaking, the renewal of the war accounted for their descent upon French soil. But when we closely follow the thread of the intrigue which Méhée went to London to weave, we feel how difficult it is to believe that his conduct did not largely influence the resolution of the Council of the Count d'Artois to send Georges Cadoudal to France. Besides, Méhée positively acknowledges this in his published narrative of what he calls his diplomatic transactions in England; but while in that narrative he only admits it, he vaunted it openly in words, before a score of persons, with effrontery which might almost be called ferocity, considering that at the time he did so, the men for whom, as he boasted, he had laid a fatal snare, were virtually condemned to the scaffold already.

Whatever we may think of this circumstance, it should not be either omitted, or held of no account, in following the course of events. The little band with Georges at their head disembarked and dispersed in different directions. Georges Cadoudal and a few others took the Paris road, and Querelle, who seems to have been sent on a special mission to a town in one of the western Departments, instead of hastening thither, stopped at a place where he had nothing to do, and wrote from thence to a brother of his who resided in the locality where his mission lay, begging him to fulfil the latter on his behalf. So indiscreet an action as that of charging a person

who probably ought not to have been taken into his confidence at all, with a mission of a nature to incur a severe penalty, is almost incredible, especially when we have the added fact that Querelle sent by post the letter which he wrote to his brother. That letter was seized by the police, and although as a matter of fact it was not the first means by which the police were apprised of the arrival of Georges in France, it might have been.[8] A by no means gratuitous suspicion arises in our minds; the suspicion that Querelle had been gained over to the police before his arrival in France. At any rate, whether this suspicion be or be not well founded, matters nothing as regards the nature and the order of subsequent events.

I must now return to Méhée, and follow him to the Continent, where we shall see him carrying his project relative to England into execution.

Méhée arrived at Altona at the beginning of Vendémiaire, year XII.[9] He asserts that it was from thence he took the French Government into his confidence.[1] Whether this be so or not, we must bear in

[8] [Marg. note.] "The police might have learned the arrival of Georges: 1st, through Méhée, who was still in London; 2nd, through one of their spies in London; 3rd, through Lajolais, who was in correspondence with Pichegru; 4th, through their agents among the Chouans in the places where Querelle stayed."

[9] See "Méhée," pp. 18 and following.

[1] A. L. La Chevardière, who had been a chief clerk in the treasury, in the department of the "Caisse de l'Extraordinaire," was entrusted with a mission to La Vendée after the 10th of August, and on his return became an assiduous member of the Jacobin Club, where, on one occasion, Robespierre defended him. After the 18th Fructidor, he became successively Secretary-General of Police, Consul at Palermo, and Member of the Administration of the Department of the Seine; he was after-

mind that thenceforward all his proceedings were known to, and held to be sanctioned by the French Government.

On his arrival at Altona he at once went to La Chevardière, the French Consul at that port, being resolved to make him the medium of the revelations which he had to make to the French Government, and to share, if I am not mistaken, between the Minister of Exterior Relations and the Minister of Police. It was a stroke of luck for Méhée to meet with La Chevardière whether he was really about to open a correspondence of a spontaneous kind with Bonaparte, or to give an account of a prearranged mission. La Chevardière was very well known to Méhée, for they had stood together in the ranks of the revolutionists at a time when that word was synonymous with assassins. Having fallen into poverty and contempt, La Chevardière conceived the idea of at least escaping from the former by denouncing certain intrigues of the Jacobins, in which he was both an actor and a confidant, to the First Consul. Donadieu [2] was the chief promoter of those schemes. La Chevardière was not disappointed; he made his disclosures to the First Consul in person, and the consulship at Altona, where Méhée found him, was the reward of his conduct. The

wards sentenced to transportation after the 18th Brumaire, but this did not prevent his being sent to Hamburg in 1802, as Commissary of Commercial Relations. He was born in Paris in 1766, and died there in 1828.

[2] This was the General Donadieu who acted so mercilessly in the suppression of Dipier's conspiracy in 1816. At that period he was adjutant-general. He was arrested with Fournier, who was chief of brigade. I think both these officers belonged to the Army of the West, which was deeply hostile to Bonaparte. (See "Mémoires sur le Consulat," p. 322.)

meeting of those two men must have been like that of the often-quoted Roman augurs.

Méhée's next proceeding, after he had written to the French Government, was to write, according to the intention he had formed while still in London, to Louis XVIII. at Warsaw, offering him the same services that he had already offered to the French princes in England, and to the English Government, with this characteristic circumstance in addition—that he affected to sacrifice both the English ministers and the French princes to Louis XVIII. in so far as his interests might require. He sent the letter of introduction that he had contrived to procure, to the Duke de Gramont,[3] who was the Pretender's chief confidant, and not doubting that he should obtain an answer through the perfidious cunning of his own letter, and the recommendation he had secured, he gave an address at which he proposed to await its arrival.[4]

Having done all this, he left Hamburg, and set out for Munich, where Mr. Drake, who had received instructions concerning him was expecting him.

In three or four days after his arrival at Munich, Méhée had communicated his plans to Drake, and received orders, instructions, and money for the setting in motion (for the advantage of England) of that famous Jacobin Committee on whose existence he had based all the delusions which he had imposed upon the English agents. He forthwith took his departure,

[3] Ant. G. H. Agénor, Duke de Gramont, Lieut.-General and Peer of France; born 17th of August, 1775, died in Paris, 28th of August, 1836.

[4] See "Méhée," p. 83.

and reached Paris early in Brumaire. Then ensued the correspondence with Mr. Drake, by which Europe may well have been astonished and scandalized in more senses than one. It is not necessary to enter into the details of this correspondence, suffice it to remark, and to remember, that no sooner was a letter of Drake's received, than it was communicated to Bonaparte, who prescribed the sense in which each answer was to be made, or at least had each answer submitted to him by the Grand Judge.

The object of this correspondence was to keep up and strengthen Drake's erroneous view of Méhée's real intentions, by communicating to him information respecting the designs of the First Consul and the police intrigues at Paris.

This information was conveyed, sometimes in Méhée's own correspondence, sometimes in reports, also of Méhée's production, but which were supposed by Drake to proceed from the Jacobin Committee, and to form a separate correspondence from that of Méhée, one, indeed, actuated by other views. But the main object of this strange correspondence was to obtain (by means of the half-confidence made to Mr. Drake respecting all that was going on in Paris) real information upon the relations which were supposed to exist between him and the men against whom the police were about to act, and who were to be punished for having fallen into the trap set for them.

I must now deal with the things that were done from within, and by the direct operation of the police, while Méhée was organizing schemes from without which were to have a double result; they were intended to second the intrigues of the internal con-



spiracies, and to be added at need to the number of pretexts for the general menace of reform of government. It must be borne in mind that the police, or rather, Bonaparte, whose instrument that power was, had not been satisfied with the results of the arrest of David.

The occurrence, far from having injured Moreau in the public esteem, had served him, because the failure of the attack upon him, the importance that had been attached to it, the deliberate system on which it had been conducted, the trouble that had been taken to ensure its success, were all positive proofs in the eyes of even the least suspicious and the least discerning that Bonaparte would not rest satisfied with a barren enmity to Moreau. Besides, the destined hour of the establishment of the Empire was approaching, and each day it became more and more urgent to destroy either the renown or the person of the man whom Bonaparte and the public were alike agreed in regarding as the centre of all the attempts that might be made by the nation or by the army, if not to save the Republic, at least to preserve some remnants of liberty.

It was necessary to entrap Moreau. Since he did not seek out a co-conspirator, the only means of inveigling him was to get the notion put into his head by men who seemed well disposed to do so, and who appeared to find it easy. Before I recount what I know to have been done with this purpose, it is necessary to premise that I am far from knowing all that was done. I shall adhere to the order of dates in so far as that order is compatible with the political sequence of events.

Hardly had the sensation caused by the arrest of David subsided, and that scheming, foolish man been set at liberty, when Moreau was approached by a more dangerous person.[5] This was Lajolais.[6] He had been intimately acquainted with Pichegru, had commanded a division under him, and having been denounced by Moreau as an accomplice in his treason, was kept in prison until the beginning of year VIII., that is to say, eighteen whole months.

This man, who had neither place nor name, overwhelmed with old debts, obliged to contract new ones, but too well known to find dupes so ready or so numerous as he needed, possessed only haphazard means of subsistence, and was forced to hide in disreputable dens from the horde of creditors who hunted him on all sides. According to his own statement, judgments had been obtained against him for 80,000 livres, and that sum fell far short of the amount of his debts. His wife was a handsome woman, and he did not shrink from making a hideous profit by her charms, freely taking money or patronage from her admirers. She was arrested at Strasburg, in February, 1804, four days prior to the arrest

[5] Fred. Lajolais was born in 1761 at Weissenbourg, where his father held the post of "king's lieutenant." He was denounced by Moreau, arrested as an accomplice of Pichegru, under whom he had served, and acquitted (January, 1800) by a court-martial at Strasburg. After having vainly petitioned to be allowed to re-enter the service, he became one of the emissaries of the Royalist party, was arrested on the 25th Pluviôse, year XII., and condemned to death on the 1st of June following; but his sentence was commuted to four months' imprisonment in the fort of Joux.

[6] A marginal note written in pencil on folio 30 of this manuscript, and which is not in Fauriel's own hand, says, "Chabaud Latour told every one who was disposed to listen to him that Lajolais began his military career by stealing blankets."

of Pichegru, and the newspapers, in announcing the fact, described her as a former mistress of the General.

Such was the man who presented himself to Moreau at Grosbois, towards the end of Prairial or the beginning of Messidor, year XII., having lost sight of him during an interval of six years. Moreau must have been not a little surprised to receive a visit from a man who owed him nothing but resentment for his long detention in prison, and still more surprised when he learned that the object of that visit was to solicit his interest at a moment when it was a fact notorious to everybody that he was in disgrace with the Government. But the most remarkable circumstance of this strange visit was that Lajolais was the bearer of a note from Pichegru to Moreau, in which the former recommended to him this same Lajolais, who had formerly had relations with both of them, and to whom it seemed that Pichegru owed especial consideration as the victim of those former relations.

It is not superfluous to remark that Pichegru could not have sent Lajolais a letter of recommendation to Moreau unless he had been asked for one. The interview between the General and Lajolais was of a trivial kind. Moreau spoke of his want of influence, and expressed his regret for the fact under the particular circumstances. This was a piece of ordinary civility, very naturally shown to a man whose miserable condition had been at least in part brought about by the speaker. A few days later, Lajolais saw Moreau in Paris three or four times in succession. On these occasions there was special mention of Pichegru, his

position in England, the probabilities of his being able to return to France, and lastly, of Moreau's feelings with regard to him. Moreau confirmed what was already generally known from all that had transpired of the correspondence between himself and David a year before, and Lajolais finally expressed a desire to repair to England by way of Alsace, in order to see Pichegru, and give an authoritative confirmation to what he already knew concerning Moreau's good-will towards him. He asked Moreau to lend him twenty-five louis for the expenses of this journey, but the General refused the loan.

It is beyond a doubt that Lajolais was the instrument of the police in all the ensuing course of this intrigue, and even in its most remarkable incidents; that is a fact which could not be hidden from any one. Nevertheless, I shall not take it upon myself to fix the precise date of his transaction with the police; it will be enough for me to mark the moment when the relations he had entered into were proved by the facts that resulted from them.

In Messidor, year XI., Lajolais retired to Alsace, and there passed six months, during which nothing was said or heard about him in Paris.

Simultaneously with the suspicious visits of Lajolais to Moreau, snares were being set for the General in another direction. The famous Neuchâtel bookseller, Fauche Borel,[7] so well known for the part he played

[7] He was printer to the King of Prussia at Neuchâtel (Switzerland), and he was the first to open negotiations with Pichegru on behalf of the Prince de Condé (1795). Having come to Paris in 1803, he was arrested there, but after eighteen months' imprisonment he was transported across the frontier, (Fauriel afterwards asserts that he escaped), and became printer to the Court of Berlin in 1805.



in the schemes that were concocted by the *émigrés* against the French Republic, and especially for his share in the negotiations between the Prince de Condé and Pichegru in year V., was imprisoned in the Temple at the period with which we are now concerned. It does not often happen that a man, however decided his sentiments and confirmed his habits may be, continues to concoct in prison the schemes that have lodged him there. This, nevertheless, was what Fauche Borel did. Under the eyes and in the grasp of the police, he busied himself with designs and plans against the French Government, whose object was to assist and favour the plans that were being concerted at the same time in London. His ideas on this subject found their way beyond the gates and walls of the Temple. He had a nephew, one Vitel, of whom he made a messenger, and it was to Moreau that Fauche Borel, the prisoner of the Temple, conveyed his hints and his hopes. Moreau regarded the latter as ridiculous dreams. If he had been endowed with keener penetration, he would have perceived that Borel could only act through the influence of that very same authority which held him in bondage.[8] Fauche Borel escaped from the Temple shortly before the conspirators were tried.

All these attempts to practise on Moreau, all these snares set for him, which indicated the plans that were formed against him, and were so many forecasts of his approaching destiny, failed with a man who, to secure his greater tranquillity, disguised from himself

[8] [Marg. note in pencil, not in Fauriel's handwriting.] "Or at least with the knowledge." Another note in the same hand adds, "I believe that he acted in good faith."

all the chances of success that might have awaited him had he possessed resolution, and cherished ambition which he might have reconciled, if not with the best state of things possible in his country, at all events with a state of things more congenial to the public mind than that under which he was an object of suspicion and menace. But events which he was far from foreseeing were looming in the near future, and by means still less expected, he was speedily to find himself condemned to play a part in them.

In the middle of Frimaire, year XII., a second batch of emissaries of the princes landed in France. The police, who were no doubt well informed on the point, reported the arrival of eight persons, of whom one of the sons of the Duc de Polignac, and Coster Saint Victor were the most important. Saint Victor had been a marked man since the year XIV., being accused of complicity in the affair of the 3rd Nivôse, and during all the course of the trial in which he afterwards figured, he displayed nobility and firmness of character which ought to have moved just men of every shade of opinion to pity for his fate. He was vindicated before his execution from the stain of having contributed to the vile attempt of the 3rd Nivôse, that is to say, he was cleared from the charge, which told most heavily against him, with regard to the second accusation under which he had fallen. It is probable that the arrival of these men in France was not unconnected with the project which had led to the despatch of Georges Cadoudal to France, with five or six companions under his orders three months before; but as a reinforcement of a party of eight

men who had preceded them, eight other men could barely be regarded as very formidable.

What is most singular in the matter is that almost all of them repaired to Paris, although the real forces of their party, those which they might have used to attain their ends, were not there, and Paris was the stronghold of the enemy whose eyes and hands they had to dread. This is accounted for by the erroneous notion of the true state of things that they entertained, by the hopes they cherished that another party besides their own was on the point of uniting both with the Consular Government; they went to Paris as it were to await the moment at which the combined parties should seize the fruit of victory, and if necessary to lend them aid to secure it. All their delusions were the direct results of the falsehoods with which Méhée had beguiled the *émigrés* and the principal agents of the Count d'Artois in London.

In no other way can the actions of the emissaries of the princes be explained, and I do not think a doubt can remain in any mind that the interpretation I give here is the true one.

These fourteen or fifteen men were necessarily placed in a most unfavourable and perilous position. The actual needs of life obliged them to come in contact with a number of persons, to take up their abode in different places, and to interchange communications from considerable distances. They were at the mercy of innumerable accidents, and more especially were they in danger of falling into the hands of the agents who were employed by the police in what they called the Chouan party. It was more particularly essential for Georges Cadoudal to hide

himself, and of this he was fully aware. He took every possible precaution against discovery; he had lodgings in several places, many secure retreats, and the secret of these hiding-places was known to only one or two confidants among those who were held to be his agents or his accomplices. The others had merely vague and speculative notions of his whereabouts.

In order to form a sound judgment upon the subsequent events, we ought carefully to consider the exact situation of the men in question under the circumstances to which I have just referred. Supposing them to be banded together for a common purpose, and that the essential point of their purpose was the assassination of the First Consul, their position was not such as to render it impossible for them to succeed. The opportunity of making such an attempt might frequently present itself to men whose interest it was to be on the watch for such chances, and it might present itself efficaciously to men resolved upon the self-sacrifice indispensable in such a case. Nevertheless, it appears certain that neither at the period in question nor at a later date, had any of these men made an attempt to approach the First Consul with the intention of assassinating him. The reason of this is plain; had they succeeded in any such attempt, they would have ruined themselves, without being sure of having served their party or done anything to advance their object, which was the re-establishment of royalty for the advantage of the Bourbons. That was what they wanted, or rather it was what they were induced to wish for, by the perfidious persuasion of a man

who was plotting to deceive them. But they were well aware that in this they could not succeed unaided; they awaited an auxiliary, and that auxiliary was no other than the Jacobin Committee, whose aid Méhée had promised the princes, the English Ministry, and Drake, and which existed only in the imagination of Méhée and the French Government.

It is of great importance at this point to note the fact that in the month of Frimaire the police were informed that Georges, and several companions who were to second any projects which he might have formed, were in Paris. There is reason to believe that the police were not in possession of the number and the names of those who had landed in France with him, nor of the hiding-places of any of them. They certainly did not know where Georges Cadoudal was. The Ministry of Police might have had him sought for and taken, but its designs were wider and deeper.

I have already said that Méhée returned to Paris about the beginning of Brumaire. It will be remembered that he had written from Altona to Louis XVIII., offering him his services,[9] and that he had received a letter which was probably an answer, but might have been intended for one of Louis's Warsaw agents at Paris, and, in that case (the least probable of the two), would only have been entrusted to Méhée. This circumstance, which is not important, remains in uncertainty, because those persons who have had an opportunity of seeing the letter in question have not seen the address; it was carefully cut off.

[9] See "Méhée," p. 83. He has not given the letter of Louis XVIII.

This letter, which fell, as it was meant to fall, into the hands of Bonaparte, was of a nature to merit his serious attention, and to make him uneasy. It was in the handwriting of Louis XVIII., and as it was addressed to a man supposed to be zealous in his service, and able to do great things towards advancing his restoration, the prince explained in the plainest manner his views of the general conditions on which his restoration to the throne of his fathers was to be effected. He undertook to establish a national representation by the side of that throne, and to guarantee civil liberty. Certain other concessions, less important than these two, but also worthy of remark, were, if I am not mistaken, also mentioned.[1]

We must remember that at the moment when Bonaparte read this letter he was as yet only First Consul of the Republic, but profoundly occupied with his scheme for the establishment of the Empire. In his known antipathy to the idea of a national representation, it is more than likely that he had often thought of the manner in which he might do away with both the name and the situation which it signifies, and nothing was better calculated to provoke his anger than the disposition of Louis XVIII. to make greater concessions for the sake of his royalty, than he (Bonaparte) was prepared to make for the prize of elevation to Empire.

He showed the letter to Fouché, either of deliberate

[1] [Marg. note.] "These conditions also confirmed the sale of the national property (*biens nationaux*) in the most formal manner, and undertook to make the legalization of it one of the first acts of the new monarchy."

purpose, or because he happened to be at hand. I do not know whether Fouché had taken any part in the previous intrigues; but he was to have the direction of all those that ensued, and it was his idea to unite them and form them, so to speak, into one vast net into which the real or supposed enemies of Bonaparte might be driven at pleasure.

To comprehend Fouché's conduct on this occasion, it is necessary to have some idea of his character, and to be acquainted with certain previous particulars.

This man, who was to accumulate upon his own head every sort of scandal, and to distinguish himself in the most opposite excesses of the revolution; he who, as a proconsul in the departments, had committed so many ferocious deeds, and had applauded those which he had only witnessed with almost delirious enthusiasm; who declared that the smoking ruins of Lyons furnished the kind of spectacle that Republics need, will perhaps furnish posterity with the most striking example of the facility with which the ministers of a liberty that is cruel and extravagant can become the servile agents of degrading despotism. Fouché was greedy of the kind of power that is exercised directly upon persons; simple in his tastes and of domestic habits, capable of appearing to be genuinely animated by the best feelings, and of entertaining the wisest opinions when left to himself, but ready to sacrifice every opinion and feeling so soon as the saving of his own credit and influence was in question; a combination of falsity and indiscretion, of cleverness and ignorance. Like all those who in their passage through the crises of the Revolution were inspired by purely selfish and personal motives, he

had acquired a habit of regarding the abstract principles of truth and justice as stupid inventions which could impose only upon fools. The influence of Barras placed him at the head of the Ministry of Police under the Directory, and he kept himself there by the zeal with which he contributed to the events of the 18th Brumaire (although he was not called upon to do so by anybody), and especially by his boundless devotion to the interests of Bonaparte, and the care with which he promoted his authority and aided all his designs.

Fouché held no serious and convinced opinions in politics; his instinct and his speculations led him naturally towards the ideas of the demagogues; but the temptations of fortune and a life which, if not very estimable, was at least stirring, offered him sufficient compensation for the service of a despot. He has always served Bonaparte without liking him, and he has always been afraid of him, for no other reason than because he knows the innermost recesses of his mind and character; he knows of what ruthless determination he is capable, whether it be exercised for the augmentation of his power or the gratification of an impulse of revenge.

When he was dismissed in year X., he appeared to be absorbed into the mere honorary nonentity of the Senate, but the fact is that he continued to act as the instrument of Bonaparte's curiosity. At stated intervals he brought him police reports, and for this he received 12,000 francs per month.[2] That sum,

[2] [Marg. note, not in the handwriting of Fauriel.] "I believe he did not contribute at all to the 18th Brumaire, but merely went over with alacrity to the winning side."



and the degree of influence which it gave him, were far from sufficient for his ambition, but it at least recalled the lost delights of his ministerial office, and his retirement was of a nature to enable him to cherish the hope that those lost delights might yet be restored.

Armed with the letter of Louis XVIII., Fouché conceived a design which will be regarded by posterity as eminently characteristic of the man who formed it, the government that adopted and utilized it, and the period in which it was propounded. He resolved to give a real existence, one which should be so much the more entirely under his governance in that it was his own work, to that Jacobin Committee, the ally of the Royalists, which had been so seriously taken into consideration by the French princes in London, the English Government, and Louis XVIII., that their conduct had been determined, or at least modified, by their belief in it, but which existed solely in the brain of Méhée. We shall be able to form a sound judgment of what he intended by this device by the attempts which were made with various degrees of success.

His first proceeding was to place the letter of Louis XVIII. in the hands of a personage who was known to have retained revolutionary opinions and Jacobin sentiments under the Consular régime. This individual was instructed by Fouché to present himself with the letter as if it had been addressed to it, to a certain Royalist committee which had been discovered, or "suspected," through information derived directly from Méhée or some other person. This was the same committee to which I

have already referred as having Baron de la Rochefoucauld as president, and M. de Roquefeuille, one of its members, as secretary. It had been called the Warsaw Committee, because it was supposed to be faithfully devoted to the plans and interests of Louis XVIII.

This man was instructed to negotiate an alliance between his own party (the Jacobins) and the royal party of Warsaw, represented by the three or four persons of whom Baron de la Rochefoucauld and M. de Roquefeuille were two. To what extent Fouché's emissary managed to get into the confidence of the Warsaw party, I do not know; but it is certain that his mission was believed in, and that he was accepted, on the faith of the letter, in the character of an agent of Louis XVIII. It is equally certain that, acting at the instigation of Fouché's agent, the royal Jacobin committee agreed to select Moreau as its general, and to have proposals to that effect made to him. I may indeed confidently affirm that such proposals were made to him. It needed only a little ordinary prudence to perceive that they must be either insensate or highly suspicious, and Moreau had, in this respect, more than ordinary prudence.

Besides, he had received information which it must be supposed would be enough to put him on his guard against any trap that might be set for him by persons already known to him.

After this first operation, especially directed against Moreau, other Jacobin emissaries were employed to set in motion all the sincere men still remaining in the party to which the agents were supposed to belong, and to unite themselves, if possible, with the opposition minority in the Senate, by showing them how

easily a combined effort against Bonaparte might bring about a change in the state of things. In order to facilitate this coalition, which would enable Bonaparte to deal as he should think fit with the only persons among the authorities of the period who continued to give him umbrage, the pretended Jacobins were artful enough to affect willingness to grant all the concessions which the moderate Republicans might require from them after their combined attack upon the Government.

These devices were not altogether useless. A considerable number of true friends of the Republic, but of different shades of opinion, took for the natural action of a real and active party what was in truth only a sequence of the machinations of Fouché. Men who had hitherto been wanting neither in wisdom nor in caution, were very near failing in both on this occasion; others, equally honest and sincere, but more ardent and more easily duped, were fully assured for several days that Bonaparte was about to be attacked in the midst of the preparations for his accession to empire. But, of all the members of the Senate to whom the insinuations prompted by Fouché were addressed, not one lent an ear to them. Either they had received information which had put them on their guard, or they were resolved to abstain from any line of action that would require energy and courage; at any rate they discarded Fouché's emissaries, and remained perfectly quiet. It is not inappropriate to name the most zealous of those agents —an individual who seemed fully to enter into the views of his employer. This was one Thureau,[3] who

[3] I have not been able to discover whither he was sent.

was afterwards rewarded with a consulship in the United States of America.

Almost at the same time, Fouché sent to Warsaw another agent, who, profiting by all the information within Fouché's reach at that time, and probably by that which he must have obtained from the Warsaw Committee in Paris, was instructed to collect all the particulars of the "exterior" plots, of which the police held the thread, and were indeed themselves willing to concoct. This mission was a sort of pendant to that of Méhée, or an imitation of it; it is probable that it had no very brilliant result, but, nevertheless, the emissary was rewarded for having desired, if not done much. This lucky instrument of unscrupulous employers is at present Commissary-General of Police at a seaboard station, and he was Fouché's private secretary during his first term of office.[4]

I now approach the most significant event of all those that preceded the conspiracy whose origin and development I am endeavouring to explain, and lent it that appearance of gravity which Bonaparte has turned to advantage for the accomplishment of his purpose, although not to so much advantage as he hoped in the first instance.

It is time for me to speak of a man of whom I shall have much to say hereafter; of him whose singular destiny it was to bestow celebrity upon the *rôle* of a powerless agent of the fugitive princes, who were held in but scant honour; and to cast discredit upon that of a general of the great army of a great

[4] I have not been able to discover this person's name. Fauriel, who was also one of Fouché's secretaries for several months, must have known him well.

Republic, whose troops he had often led to victory; in a word, of Pichegru.

He was at this time residing in London, with the Count d'Artois, and was, it appears, but ill-satisfied with that prince, and with the *rôle* assigned to himself. It also appears that he was sincerely desirous of returning to France, and that the soundings which had been made in the direction of Bonaparte with this intention were not made without his knowledge and consent. He affected a haughty and ill-humoured demeanour towards the princes and their favourite agents; this probably arose from the fact that his new party resented his not having always belonged to it, or not having served it more effectually, considering the ample power to do so that he possessed at a time when he was already devoted to the Bourbons. He was in London while Méhée was carrying on there what has since been called his "diplomatic negotiation." It is probable that he was less affected than those with whose cause he had allied himself, having betrayed that of the Republic by all the persuasions which Méhée used to lead the princes into some rash enterprise against Bonaparte's Government. At least, his name has not been mentioned among the names of the credulous persons whom Méhée boasted of having cajoled during his stay in London.

Pichegru was, however, the man whom the police were most anxious to entrap into the plot which they were promoting and watching at the same time; in the first place because the very name of Pichegru, of a man who had not betrayed France until after he had won the highest renown in arms for the country, would give the imposing air of conspiracy to what

would otherwise pass for a mere wretched piece of scheming; and secondly, Pichegru was the only man through whom Moreau could be compromised with the party of which Georges Cadoudal was the chief. All the other snares that had been laid for Moreau had failed to produce any result through which it would be possible to ruin him without an absolute departure from all the forms of justice; this, then, was the only resource remaining to be employed against him. It presented the best chances of success, and its results would be the gravest. According to the notion of Cadoudal generally entertained at that period, the Government and the police were fully authorized in believing that the slightest appearance of an association between General Moreau and the Chouan leader would enable them to secure, if not the destruction, at least the dishonour, of the conqueror of Hohenlinden, and even this was worth the trouble of an experiment.

If the Count d'Artois and his Council really entertained hopes of being seconded in their attacks upon Bonaparte by a party organized in the interior of France, and regarded by them as either their ally or their unconscious auxiliary, it would have been perfectly natural for the prince and his advisers to endeavour to inspire Pichegru with the same hopes, and to induce him to ensure their realization by associating himself with the project that had been formed. Pichegru's conduct leads us to suppose that they succeeded in this. I say "to suppose," for I am entirely ignorant of what the ideas and intentions of Pichegru had been, prior to the circumstance I am about to relate.

It will be remembered that Lajolais had retired to Alsace almost immediately after his visits to Moreau. (The intention of those visits I have declined to define, because I have not sufficient data to enable me to do so with fairness.) Four or five months passed away, and nobody had heard anything about him, or, probably, speculated at all upon what he was doing. He returned to Paris at the end of Brumaire or beginning of Frimaire, year XII. It matters little to the purpose of my narrative to know whether he had or had not any relations with the police previous to this journey; I entertain no doubt of the fact that he then opened communications with that authority, or rather with Fouché, who was the animating spirit of all its proceedings. He was instructed to go at once to London, there to see Pichegru, to represent to him in flaming colours the chances of a conspiracy, into which Moreau was disposed to enter with him (Pichegru), being more sincerely and effectually reconciled with him than ever. He was to add that the enmity of Moreau and the nation to Bonaparte was greatly increased, and quite ready to break out, that the parties in opposition to him were reinforced daily, and there was more reason than ever to believe that the party of Louis XVIII. would, by adroitly availing itself of this opportunity, carry off the fruits of success.

It is needless to observe that the most important part of his instructions was an injunction to admit, as Pichegru's accomplice, all that he had done at the instigation of the police, of course colouring his admissions so as to remove the appearance of a prepared statement; it was also a matter of course that he was

to assume the character of Moreau's deputy, and the bearer of his intentions and projects to Pichegru. A more remarkable feature of this singular supposed embassy, of which Moreau was the assumed instigator, was that the man to whom the *rôle* of the General's emissary was assigned had not seen him for five months, that the date at which he was understood to have received his commission was necessarily that of their last interview, and lastly, that Lajolais, returning to Paris after five months, for the purpose of fulfilling a commission in England for Moreau, did not see him in passing through. I have thought it all the more important to take note of these circumstances because the French Government made no allusion to them in the official report of the subsequent events when the convenient time to reveal them had arrived, and even propounded supposititious circumstances which were in contradiction with the above incontrovertible particulars.

Having apprised Pichegru of his intended visit to England, Lajolais left Paris, furnished with the instructions which I have endeavoured to place before the reader in their plain and simple sense, passed through Germany, the only route possible at that time for a journey which was intended to have all the appearance of being mysterious and clandestine. He arrived in London between the 20th and the 25th Frimaire. A month later, Pichegru, Lajolais, and three or four other unimportant persons landed on the coast near Havre.[5] There they separated and

[5] According to the *Liste des Brigands*, published on the 16th Ventôse in the *Moniteur*, they landed at the foot of the cliff at Rivelle.

went their way to Paris by different routes. Lajolais arrived in Paris on the 1st Pluviôse. Pichegru, whom Georges Cadoudal had gone to meet, arrived on the next day, and went to lodge at Chaillot in a house which had been hired for Bouvet Lozier[6] by Marie Adelaide Turgot, a member of the Turgot family, of whom more will be heard when we come to the narrative of the trial. Cadoudal was concealed in the same house. This circumstance of Georges going to meet Pichegru calls for remark. It cannot be called in question, although it was steadily denied by both Georges and Pichegru,[7] against the incontrovertible evidence of its truth.

It was a great thing for the police that Pichegru was in Paris, and especially that he was with Cadoudal and other men, whom the public would certainly not credit with any harmless purpose. Still this was not enough for what the police wanted, and the Government considered necessary. The essence of the design, the real depth of the contrivance, was the bringing of Moreau into relations not only with Pichegru (which might have been sufficient if more had proved impossible), but with Georges, which was far more important. The former was not difficult—indeed it was almost inevitable, considering the impression which had been given to Pichegru of the ideas and intentions of Moreau, and the assurances

[6] A. H. Bouvet de Lozier, born in Paris in 1769. He was tried with Cadoudal, and sentenced to death, but the sentence was commuted to imprisonment, followed by transportation.

[7] See the examination of Pichegru by Réal and Dubois on the 8th Ventôse. "Did you see Georges in Paris?" "Not at all." "Did you go a part of the way from the farm of La Pelerie to Paris with Georges?" "No."—*Recueil des interrogatoires subis par le Général Moreau, et quelques-uns de ses co-accusés. Paris, de l'imprimerie impériale, an XII.*

sent by Moreau to Pichegru that he was not his enemy, but, on the contrary, took a lively interest in the general's fortunes. The latter was far from being impossible, because, although there was no absolute community of design and feeling between Pichegru and Cadoudal, it was likely enough that they might be drawn together sufficiently to act in concert in some particular matter.

Again, Lajolais was the very person who could best secure the carrying out of the views of the police. The great difficulty had been surmounted; Pichegru was in Paris.

At this point I must enter into some details which may appear trifling in themselves, but are nevertheless indispensable, because they furnish a key to later and much more interesting events, which can not be justly appreciated without a knowledge of their primary source and progressive development. I shall endeavour to say no more than is necessary to a true comprehension and a just judgment of facts which can never fail to arouse the curiosity of mankind, and will in the future serve to instruct nations; if the latter be not condemned to vegetate in hopeless degradation, mere toys in the hands of those who govern them for their passions or their pleasure.

The stirring scenes, the unexpected catastrophes that fill the pages of history will not be wanting in the course of this narrative; it is for me to connect those scenes and those catastrophes with their secret causes and motives, in so far as it is in my power to do so. The position I occupied was one in which I could not gain a knowledge of everything, and the

time rendered the investigation of the truth the greatest of all dangers next to that of telling it.

On the 3rd Pluviôse, two days after his return to Paris from England, Lajolais paid a visit to Moreau for the purpose of announcing Pichegru's arrival in France and his intention of coming to Paris, without, we may be sure, giving any hint of the kind or degree of influence which he had exercised on this strange determination of the general's. He requested Moreau to make an appointment for seeing Pichegru, and it is evident that Moreau can neither have heard the unexpected news of his arrival without misgiving, nor been unconscious of the sort of impropriety that was involved in an arrangement for their meeting. It was not necessary to be weak and timid in order to feel this; ordinary prudence suggested it. On the other hand, he could not bring himself to refuse to see one who had been his master in the art of war, his friend, and to whom he had sent repeated assurances of reconciliation within the past year. The more hazardous Pichegru's position was, the greater risk of proscription he ran, the more imperatively did honour and generosity forbid Moreau's acting in a way which could only be interpreted as preconcerted perfidy, or at the least, cowardly selfishness.

Moreau did, therefore, make the appointment for which Lajolais asked, but he did so with ill-disguised reluctance, and postponed the meeting for three days on the pretext of a shooting-party. Now this was a reasonable enough pretext for a man in Moreau's state of mind, but it would have been inconceivable if offered by one who was expecting a co-conspirator

in the person in question. It was arranged that Moreau and Pichegru should meet on the Boulevard de la Madeleine, between seven and eight o'clock in the evening, on the 6th Pluviôse. There happened to be a full moon that day. The appointment was requested for Pichegru only. It may be, however, that during this visit from Lajolais, Moreau learned that Cadoudal was in Paris, a secret hitherto known only to the police.

During the interval that elapsed between the 3rd and the 6th Pluviôse, Lajolais took certain steps which furnished the two principal incidents of the approaching conspiracy.

On the 4th, the day after his interview with Moreau, he made a visit to Rolland. The motives for this seem natural and simple enough, but they are not quite so easy to define as they seem to be.[8]

Rolland had necessarily been brought in contact with Pichegru during the general's command, and had, it appears, entertained both affection and esteem for him. Rolland then held a high post in the administrative service of the French army, and still occupied it at the time of which I am writing. He had also been acquainted with Moreau and Lajolais, who served with Pichegru and under his command. He occasionally saw the former, and had kept up tolerably intimate relations with the latter. Just before he

[8] Henri Odille Pierre Jean Rolland, born at Dieppe in 1759. At the period of the Revolution he became commissary-general of the military transport service, and thus he was brought into personal relations with Pichegru and Moreau. He was arrested on the 25th Pluviôse, and sentenced to two years' imprisonment in a fortress. "It was generally believed," says "La Biographie Moderne" (vol. iii. p. 207), "that the revelations which he made saved him."

left Paris for England, Lajolais called on Rolland and confided his project to him, but in general and vague terms. It seemed, therefore, only natural that he should come to him on his return, and inform him of the result of his journey; that is to say, of the arrival of Pichegru in France. The interview was strictly confined to this confidence on the part of Lajolais, and to expressions of goodwill towards Pichegru on the part of Rolland. (See "Recueil des Interrogatoires," p. 44 and following.)

On the 16th Pluviôse—famous and eventful day—the interview between Pichegru and Moreau took place. On the one hand Lajolais went to Moreau's abode to bring him to the spot agreed upon, and on the other, Bouvet Lozier made sure of the attendance of Pichegru, who was lodging with him at the time. But Pichegru did not present himself alone; another person was with him, no other than Georges Cadoudal.

On his way to the appointed place of meeting, and when he was quite near to the spot, Moreau, actuated either by the general uneasiness which he naturally felt, or disturbed by a vague presentiment of the chances that might occur in such a case, asked Lajolais whether Pichegru would really be alone, as he (Moreau) expected him to be. Lajolais, who could not possibly ignore the fact, and who had indeed taken all the necessary steps to secure the presence of Georges, was obliged to acknowledge the truth. A moment after, Georges, Moreau, and Pichegru met, but Moreau crossed over to the opposite side of the boulevard immediately on receiving the answer of Lajolais, and the arranged interview did

not take place. That evening, Moreau saw neither Cadoudal nor Pichegru himself.

It is probable that all those who had expected to find Moreau at the place agreed on, and to confer with him, were taken aback by an occurrence which routed their expectations so completely, and under their own eyes. But, of the whole party, Lajolais, who had given a pledge to the police which the accident of Moreau's question had rendered it impossible for him to redeem, must have been the most thoroughly disconcerted. He adopted a course which plunged him still deeper into infamy. Instead of telling the police the pure and simple truth of what had just occurred, and acknowledging that his plan had failed, he described things as they ought to have been, and as they were on the point of being. The police did then really believe that Moreau had seen Georges at the same time as Pichegru, and this important and singular error, by which that authority was, so to speak, caught in its own net, supplies the key to several subsequent incidents on which I shall dwell hereafter.

From that moment the police regarded themselves as fully triumphant and sure of success, and though they waited for fresh incidents, they did so rather for the sake of having more details to enhance the sensation which they were about to create, than because they feared the evidence to be produced would be insufficient to crush the enemies whom they had brought, as they believed, to the desired point. Many things were done between the 5th and 12th Pluviôse in preparation for a prosecution in elaborate form of the "conspiracy" whose principals,

accomplices, and agents had been brought together by so specious a contrivance; but at present I shall narrate only those circumstances which were intended to be used against Moreau.

At length, on the 13th Pluviôse, Moreau and Pichegru met for the first time since the year V. of the Republic; after many strange events, in which they had taken widely different parts. Pichegru visited Moreau, accompanied by Lajolais and Couchery, the brother of one Couchery[1] who had been expatriated after the 18th Fructidor, and had afterwards lived in London in intimate association with Pichegru, to whom since the year V. he appears to have been entirely subservient. I have grounds for believing that Pichegru's visit was entirely unexpected by Moreau. It was brief, commonplace, limited to expressions of friendship, and greatly embarrassed by mutual uneasiness and constraint. Moreau, who could not be free from suspicion respecting the character of Lajolais, signified to that individual that he must not intrude into his presence for the future.

Lajolais, being thus cut off from communication with Moreau, had to fall back upon Rolland; he went at once to the latter, and besought him in the name of their common friendship for Pichegru to beg Moreau to afford a refuge to the illustrious general. Rolland, who had been quite sincere up to this time

[1] J. B. Couchery, member of the Council of Five Hundred (1795), condemned to expatriation after the 18th Fructidor, retired to Germany, and was recalled by the consuls in December, 1799; but he hastened to rejoin Pichegru in London, where he edited a French newspaper for a long time. His brother Victor, who is in question here, was arrested on the 28th of March, tried with Georges, and sentenced to two years' imprisonment.

in his interest in Pichegru and in all that he had done, or rather had seemed disposed to do, and who had no suspicion whatever of what was going on, carried Pichegru's request to Moreau. It was refused, with expressions of regret, probably sincere, and from motives which were much more grave than Moreau then believed them to be. (See "Recueil des Interrogatoires," p. 57.)

If Pichegru had taken refuge in Moreau's house, it is likely that he would have been arrested there, and the police would have made the prearranged demonstration on the spot. Lajolais, finding that Moreau persisted in holding aloof, and feeling that he could no longer use Rolland as a means of persuading him to take the bait that was set for him, requested Rolland himself to receive Pichegru. Rolland consented, and Pichegru took up his abode with him on the 15th Pluviôse.

Whatever may have been the ideas and the apprehensions of Pichegru, there was no change in his personal motives for seeing Moreau, or even in those which might relate to hostile projects against the Government. Nothing had yet occurred to enlighten him as to the deception that Lajolais had practised upon him respecting the state of things in France, and the chances of an uprising favourable to the Bourbons. The day after his arrival at Rolland's house, he requested Rolland to go to Moreau and ask him to make a second appointment. Moreau could not absolutely refuse to hold any communication with Pichegru, but he was afraid to receive him, so he sent Fresnières, his secretary, to Rolland's, to learn from Pichegru's own

lips what it was he wished to say, and to repeat it to him. Fresnières acted on his instructions; he went to Rolland's house and saw Pichegru; but the latter, either because he did not choose to confide in a third person, or because he wanted to have a decided explanation with Moreau, bade the secretary take him at once to the general. Thus was brought about the second and last interview between Pichegru and Moreau. It is necessary to observe that Lajolais accompanied Pichegru on this occasion also; but as he dared not enter Moreau's house after the express prohibition he had received, he waited outside in the street for Pichegru. Hence the police could make use of him only as a witness to the fact of Pichegru's visit to Moreau, but not as a reporter of the conversation between the two generals.

And now, who is there that can tell us what passed at that interview? Of the two persons between whom it took place, one has died without having related a single word of their conversation to anybody, without having done anything beyond revealing, in a vague and general way, that he was displeased with Moreau, whom he suspected on that occasion of motives of personal ambition, of which he had hitherto held him guiltless. And to whom was that revelation made? To one single man, who, as we shall presently see, suddenly changed his character and his *rôle*, and, in the interest of his own safety, betrayed the two men for whom he had acted as a go-between, without having any private object to gain, and even against the express desire of one of them. As for the other personage (Moreau), now

living in exile in a distant land, he has said what was fitting and necessary for his judicial justification, to which nothing was wanting, but not for the integrity of history, which has to judge men and actions from a far more general and less strict point of view than a tribunal of justice. And besides, even were the truth known with more precision than it can be from the judicial interrogation of a man in the situation of Moreau, could it be told while the oppressors are still in all the plenitude of the power that they have used against him? It is one of the drawbacks of contemporary history that the interests of humanity itself require the truth to be told with adroit reservations only, which afford greater advantages to the tyranny of a man, and more pretexts for the misfortunes of an epoch, than either would have were the negative evidence of silence on events which everybody has witnessed afforded to the world.

At all events, I shall not say anything contrary to what I believe to be the truth concerning the circumstances to which I am now referring. Moreau has become sufficiently great to hear the voice of posterity already; and nothing, it seems to me, can add to the enmity of his oppressor, or furnish the latter with arms against him which he has not already employed.

From all the direct information that it has been possible for me to obtain, and from all the deductions I have drawn from the collected and compared facts, I have arrived at the conclusion that in this last conversation between Moreau and Pichegru, the latter made overtures relating to the possibility of a plot for the overthrow of Bonaparte, and the restoration of the Bourbons, and the chances of its

success. I believe, too, that Moreau's answers were vague and equivocal upon the first point, but clear and positive upon the second. I have no doubt he explained to Pichegru the absurdity of such a design under the circumstances.

Pichegru, who had come to this interview full of the hopes with which he had been inspired by the persons whose sole object had been to lay a fatal snare for Moreau, was necessarily dissatisfied with him. He could only regard Moreau as one who, without being positively resolved upon conspiring for the Republic, would not have rejected the chance of doing so if it had been presented to him, all ready made by other people; but who was nevertheless resolved not to conspire for the Bourbons.

It was from the angry mood in which Pichegru returned to Rolland's house, and from some broken sentences on the subject of the conference he had just held with Moreau, that Rolland first clearly perceived what was the real object that had brought the general to Paris.[1] His first thought was how to get rid of a guest so dangerous, and yet one whom he was bound to treat with consideration. He made a pretext of a journey in the discharge of his duties as a military inspector; and, on the 27th Pluviôse, Pichegru, who had passed only two nights in Rolland's house, was obliged to seek a fresh refuge. This he either asked of Lajolais, or accepted from him.

[1] [Marg. note.] "He was not really much frightened until the return from Moreau's. It was only then that he sought for pretexts to get rid of Pichegru."

Before leaving Rolland's house, however, Pichegru begged his reluctant host to go to Moreau on his behalf, and ask for his "last word" upon the overtures of the preceding day. Rolland complied, unwillingly as it appears, and Moreau was so indiscreet as to answer him very much as he had answered Pichegru; but probably stating more precisely and clearly that he would not make common cause with the agents of the Bourbons, for the sake of the Bourbons, and that, if any change in the actual state of things was to be brought about, that change ought to be dictated by public opinion. Now what Moreau thought, and even what he had expressed to Pichegru, was that public opinion was not favourable to the Bourbons. I think it well to repeat literally at this point, the answer made by Moreau to Rolland, just as it was repeated to the police by the latter, and inserted in the act of accusation against Moreau.

"I cannot put myself at the head of any movement," Moreau is reported to have said, "if Pichegru takes action in another sense (and in that case I have said to him it would be necessary the Consuls and the Governor of Paris should disappear). I think I have a strong enough party in the Senate to obtain authority. I will make use of it immediately to put his people in safety (*à couvert*), and afterwards public opinion will dictate what it will be well to do." (See the "Procès," vol. ii.) In all this there is an appearance of keeping as close as possible to Moreau's own words, and they express the mind of the general on the matter with sufficient exactness.

One peculiarity which it is equally easy and important to remark, is that all Rolland's proceedings

with regard to Pichegru, and their results, were necessarily known to Lajolais, who continued to be the confidant of Pichegru and Rolland after he had been discarded by Moreau; this is equivalent to saying that the police were fully informed of them. The last interview between Moreau and Rolland took place on the 18th Pluviôse; this was the last fact relating to the conspiracy, and it immediately preceded the exposure made by the police.

From that moment, the events which I have to relate changed their character and aspect. All those events are the result of a series of intrigues whose existence, motives, and chief incidents cannot be held in doubt by any person who is even tolerably well informed with regard to the affairs of France at the period with which I am dealing. But the details, and the complete sequence and order of those intrigues could not be supplied without greater and more various knowledge than I have been enabled to obtain. Of the facts that I should have required to ascertain, some remain concealed in foreign countries, from whence it is hard for them to reach France, so as to correct the accounts which the Government has published; others are hidden in the breasts of men so base that it may be doubted whether they dare to tell themselves the truth about themselves; several are buried in the lairs of the police, that strange, blind, and passion-led authority, for whom all with which it has to deal changes its nature, and violence and injustice of every kind, provided they are necessary to attain the aim that is sought by the supreme power, are merely plain and binding duties.

Many of these facts are hidden in the depths of

Bonaparte's own soul, and some of them will never be known, because it was so easy for him to share his confidence among several agents and several accomplices. Lastly, there are others which are withheld by the prudent or pusillanimous silence of a very small number of persons, who have been enabled to detect some of those formidable secrets of the abuse of power (which might serve as instruction and warning to future generations), either by chance, or through the indiscretion of the agents of the supreme authority. Amid so many obstacles to the thorough investigation of the truth, I am aware that I have allowed a portion to escape me, and I cannot answer for the strict exactness of my narrative in all respects. The only thing that I can unhesitatingly vouch for, is the truth of the principal circumstances and the accuracy of the point of view from which I have examined the facts.

I am now about to take a new departure. Of the events which I shall have to lay before the reader, some have been avowed with unheard-of audacity, and others published with ostentation perhaps equally remarkable.

To almost all of them, the whole of Paris or France itself bears witness. Not indeed that several details of these same events are not also enshrouded in mystery; but, on the one hand, that mystery is not of a kind that remains mysterious; and on the other it does not hinder the formation of a sound estimate of the true nature of events. I have little to fear for the rest of my task, beyond the errors of my own judgment. I shall take all possible pains to guard against such errors, and my first care in every case



shall be to state the reason or the feeling that dictates my judgment, so that those who do not share my feelings and my ideas may perceive the cause of my errors, and deduce at their pleasure other consequences from the same facts.

CHAPTER III.

THE DUC D'ENGHIEN—ARREST OF MOREAU, PICHEGRU, GEORGES CADOUDAL, ETC.

NOTE BY THE EDITOR.

THE third chapter, which was to have contained an account of the arrest of Moreau, Pichegru, &c., the "instruction" of their trial, and the execution of the Duc d'Enghien, was never written. That Fauriel intended to write it is evident from the number of notes which he had collected, and the dozen or so of loose pages: these we must take for what they are—mere memoranda of the facts and ideas with which he proposed to deal in detail. I shall not attempt to fill up this hiatus in the work, but will utilize a few of Fauriel's notes by giving a brief summary of events, so as to form a link between the preceding and the following chapters, beginning with the fragment that relates to the Duc d'Enghien.[1]

EXTRACT FROM FAURIEL'S NOTES.

Whatever may be the pretexts assigned for the arrest and execution of the Duc d'Enghien, it is difficult to resist the conviction that other reasons

[1] See, on this subject, the Memoirs of Madame de Rémusat, English version, published by Messrs. Sampson Low and Co.

besides those put forward to account for the deed really actuated it.

Did the First Consul intend to frighten the Bourbons effectually and for ever? It is proved by the facts that he has only revived the almost extinct interest in their favour.

He did not regard the prince's projects as forming a portion of those of the Paris conspirators, for, in that case, he ought to have had him tried with them.

He could not consider those projects more culpable than the designs of Georges Cadoudal and his accomplices, and therefore cause them to be judged in a more sudden and severe manner.

The accomplices of the Duc d'Enghien, many of whom were well known to have entertained former relations with the enemies of the State, were not brought to trial. Some of them were set at liberty, the duke's secretary among the number. Several are hoping to be set free. This trial has been talked of; why has it not taken place?

It follows necessarily that there was some private motive for an action that must inevitably attract so much attention, and might have such grave consequences.

What that motive was it is important and perhaps easy to discover. A project for restoring the throne was already known to exist, and was on the point of being declared. The knowledge of this project might have various results.

1. To revive the rumours in general circulation after the 18th Brumaire, to the effect that the First Consul was acting in favour of the Bourbons.

2. To disturb those among the persons devoted

to the First Consul who were personally interested in keeping out the Bourbons, and to paralyze their action under circumstances which rendered it extremely necessary.

A guarantee had therefore to be given to those persons that nothing was being done for the benefit of their enemy, and an overt act of violence against the Bourbons might be regarded in that light.

Moreau, who was then a prisoner, had formerly refrained on several occasions from capturing the young prince, when he could have done so, from admiration of his courage. The Duc d'Enghien arrived in Paris at one o'clock in the morning, Murat and Savary having waited for him at the barrier. Savary accompanied him to Vincennes, and gave the signal to the firing-party; services for which he received from Fouché eighty thousand francs at least. Great was the public surprise and horror when the sentence upon the Duc d'Enghien was cried in the streets of Paris, where his arrest was hardly known. The First Consul was, it is said, startled by the effect of this news on the public mind.

The *Moniteur* gave the sentence without announcing its execution. It was during the night of the 30th Ventôse that the prince was shot.

Madame Bonaparte implored pardon for the Duke, and was treated with gross indignity. M. Louis Bonaparte also interceded for him with his brother, and was repulsed in a similar way.

EDITOR'S NOTE.

All was now ready, owing to the intrigues with

which he had been surrounded, for the final ruin of the great soldier whose fame and popularity excited the jealousy of Bonaparte; the only person who could have successfully raised an obstacle to Moreau's ambitious designs, by rallying the malcontents, who were very numerous both in the army and elsewhere, around himself.[2]

On the 11th Pluviôse (1st February, 1804), Réal was appointed assistant (or adjunct) to the Grand Judge, Régnier,[3] and specially charged with the "instruction" and prosecution of all the cases relating to the tranquillity and internal safety of the Republic. Severe police measures had just been added to those that already existed,[4] and numerous arrests spread anger and consternation throughout Paris, where people called to mind the odious deeds that had followed the attempt of Nivôse. This was a means of preparing the public for the unexpected blow about to be struck.

Early in the morning on the 25th Pluviose, an officer of the "Legion d'Élite," accompanied by a detachment, presented himself at Moreau's residence

[2] Josephine said to a Councillor of State, "The generals declare that they have not fought against the Bourbons in order to substitute Bonaparte for them" ("Mémoires sur le Consulat," p. 242).

[3] Fouché called him "le gros juge."

[4] On the 4th Pluviôse a police order had enjoined all the health officers who had rendered aid to the wounded to declare the same immediately to the police. This declaration was to contain the name, abode, and profession of the wounded person, the cause of his wounds, their gravity, and the circumstance of their infliction.

A similar order was issued by M. Gisquet, Prefect of Police, after the insurrection of the 5th and 6th June, 1832; but it was received with such an outcry that it had to be immediately withdrawn.

in the Rue d'Anjou, Saint-Honoré,[5] and after having carefully examined his papers and seized them, set out in search of the general, who had gone to Gros Bois, his country place. The party fell in with him near Charenton, when he was shown the order for his arrest signed by the Grand Judge, and immediately taken to the Temple. At the same time his servants and aides-de-camp were arrested; among the latter was a very distinguished officer, Le Normand, of whom Fauriel will speak hereafter.[6] Fresnières, his secretary, who had been present during the examination of the papers, with Moreau's brother and mother-in-law, was not at first molested in any way, but a warrant was afterwards issued against him; he had, however, reached a place of safety.[7]

On the same evening the general underwent an examination before the Grand Judge, and was guilty of the unworthy and foolish weakness, for which he has been justly reproached, of denying facts that were easy to prove to demonstration.

On the following day (27th Pluviôse) the Parisians

[5] At No. 122. It was the proximity of this house to the Boulevard de la Madeleine which led to the latter being selected as the place of meeting for Moreau and Pichegru.

[6] He had begun to compose the history of his campaigns. His manuscript was probably seized and destroyed. See the *procès-verbal* of his arrest. ("Procès," vol iii p. 57).

[7] Bonaparte, who probably had some personal grievance to avenge, had Generals Liehert and Souham arrested, and placed *au secret*, as accused of conspiracy. It is needless to say that none of the persons arrested at the same time with Moreau figured at the trial. So soon as the arrest of her husband became known, Madame Moreau received a great number of visits. The police seized the list of names of those who called upon her. It was Couchery who informed Pichegru of Moreau's arrest. "He made a gesture of astonishment and grief, but said nothing." ("Procès," vol. ii. p. 444.)

found the walls placarded with an order of the day by the Governor of Paris, whose enmity to Moreau was all known.[8] Borrowing his inspiration from the denunciation of Hippolitus by Theseus, he announced to the troops under his command that fifty brigands,[9] *the impure remnant* of the civil war,[1] with Georges and General Pichegru at their head, had penetrated even to the capital, and he added this false assertion: "Their arrival has been brought about by a person who is still numbered in our ranks; by General Moreau, who was placed yesterday in the hands of the national justice."[2]

The same day[3] the Government communicated the

[8] During the trial, Joyant, on being accused of having seen Fresnières, and written to him making certain proposals, denied the fact, and Thuriot was obliged to acknowledge that the assertion was one made simply by Lajolais. "For the rest," said the president, "it was not made a charge against him." (See "Procès," vol. v. p. 378.)

[9] See "Mémoires de Madame de Rémusat," vol. i. p. 303.

[1] "Reste impur des brigands dont j'ai purgé la terre." He had probably heard this line a few days previously at the Théâtre Français, where "Phédre" had been played, and the word "brigands," which was in the mouths of all the Government agents, may have struck him. This expression pleased the Procurator-General so much that he repeated it in his speech. ("Procès," vol. vi. p. 275.)

[2] "On account of the terms in which this order of the day is couched," says Fauriel in a note, "it was attributed to the First Consul himself." It was published in the newspapers on the day after it was placarded, but not inserted in the *Moniteur* until the 2nd Ventôse.

In the same number addresses of congratulation to the First Consul on his having escaped the conspiracy, from the commanders of various corps, from the clergy, the towns, &c., began to appear. General Soult's address was the first. He speaks in it of "the monsters who would dare to lay a sacrilegious hand upon *the august person* of the First Consul."

[3] "The First Consul," says a note by Fauriel, "had summoned the presidents of the three great authorities to the Tuileries on the preceding evening, in order to tell them the

report of the Grand Judge upon the conspiracy to the Legislative Body and to the Tribunate.[4] The reading of this document, in which Moreau was grossly aspersed, at the Tribunate, produced an indignant protest from the general's brother, who was one of its members.

Moreau, whose capture could never have been in the least difficult, was in the power of his enemies, and the greater number of the confederates were in the hands of the police;[5] but the most dreaded of them all, Pichegru and Cadoudal, were still at liberty, notwithstanding the zeal with which the police prosecuted their search, and the reiterated appeals that were made to the citizens. On the 1st Ventôse (12th February) the Grand Judge had a proclamation placarded all over Paris, in which he called upon all, in the name of their dearest interests, to denounce the foreign suspects, and especially to beware how they afforded an asylum "to monsters to whom the whole earth ought to refuse it." A week later, Pichegru, having been betrayed by a person named Leblanc, who went to Murat and denounced the general, receiving one hundred thousand francs as his reward, was roused out of his sleep at two o'clock in the morning, at his lodging in the Rue de Chabanais. and arrested after a vigorous resistance.[6]

news, and either to inspire or dictate the conduct which they were to observe under the circumstances, that is to say, at the sittings of their respective bodies. which were to take place on the morrow, and at which they were to receive the official communication of the Grand Judge."

[4] It was drawn up by Lebrun, Third Consul.

[5] Moreau had another brother, a naval lieutenant. Bonaparte sent him orders to retire to Morlaix, and stay there with his family.

[6] "Correspondence," vol. ix. p. 342.

But Cadoudal again escaped. "They were much troubled," says Madame de Rémusat, "by the address with which he eluded all pursuit."

On the 9th Ventôse a law was passed by which it was enacted that "all persons who harboured Georges or any one of his accomplices shall be treated as equal with those brigands if they do not make declaration of the fact." "At the same time the measures that were taken to prevent them from getting out of Paris, reminded us," says Fauriel, "by the silence and consternation of the people, and by the active movements of the armed force, of the sad days of '93."[7] "Sentinels," we learn from the *Journal de Paris*, "have been placed all along the walls of Paris, and no person can pass the gates, day or night. In the daytime, police officers, adjutants, and gendarmes verify passports and reconnoitre every individual who goes out, so as to make sure that the brigands shall not fly from Paris and escape the punishment that awaits them. The citizens must hasten to denounce the houses in which they may suspect them to be hidden."

In publishing the law for the punishment of all who should harbour Georges and his accomplices, the Government had forgotten to give their names and description. This omission was repaired by the *Moniteur* in the number of the 16th Ventôse,[8] in which the Grand Judge caused to be inserted a "List of the

[7] For all these measures see several letters of Bonaparte's in vol. ix. of his "Correspondence."

[8] "The journal," says Fauriel in a note, "was kept back for several hours in order that this note might be inserted on the day named." It was at the same time placarded all over Paris, and distributed everywhere.

Brigands employed by the British Ministry to attempt the life of the First Consul." That list comprised fifty-nine persons; 1st, the twenty-nine men who were landed from an English cutter (Wright, captain) at the foot of the cliff of Bivelle in August and December, 1803, and on the 16th of January, 1804; 2ndly, thirty-eight "accomplices" who were landed in Brittany, or resident in France. Among the latter Moreau figured. Out of this number of fifty-nine, there were thirty-three not arrested, and thirty-one who were described.[9]

At seven o'clock in the evening of the 18th Ventôse (9th March), two days after this publication, Georges Cadoudal, who was in a cabriolet with the younger Leridan,[1] was arrested near the Odéon Theatre, after having killed the peace officer who seized the horses' bridles with one pistol shot, and severely wounded with a second another police agent who attempted to seize him. The rest of the confederates fell for the most part into the hands of the police. We shall meet with them in the following chapter. On the eve of this capture, at which the Government rejoiced so much that the *Moniteur* inserted it at the head of its number of the 29th Ventôse, Moreau had again fallen into a trap set for him by Réal. Fauriel reveals the origin (hitherto unknown) of his ill-judged action, which was rendered excusable only by the excessively rigorous captivity to which he was subjected. He complained of this strictness at the trial.

[9] An extremely minute description is given of Cadoudal as "chief of the brigands."

[1] Leridan did not figure on the list of brigands. He was condemned to only two years' imprisonment.

"On the 17th Ventôse," says Fauriel, "Moreau wrote to the First Consul. For several days there was anxiety about this letter, which was said by the general's enemies to be derogatory to the dignity of his character. It was known that the First Consul had ordered it to be included in the documents to be used at the trial. Hence it was concluded that Bonaparte was not well pleased with the letter, and therefore, that Moreau had not degraded himself by it.[2]

The story of this letter of Moreau's is connected with the incident (insignificant in itself) of Madame Récamier's visit to Réal. She was summoned by him to receive a reprimand for the freedom of her remarks upon the arrest of Moreau, and upon other circumstances of the conspiracy. Réal's real object in this proceeding was to inspire Moreau through his wife, who was acquainted with Madame Récamier, with the idea of writing to the First Consul.

In order to prejudice the public against Moreau, various pamphlets, in which attempts were made to cast doubts upon the loyalty of the general, were published.[3]

[2] When Fauriel wrote this he was not aware of the tenour of the letter, which was not made known to the public until the trial. At a later stage of his narrative he speaks of it as "a letter written imprudently, and in a moment of weakness."

[3] The most important of these pamphlets are "Moreau et Pichegru," written by Rœderer, by order of Bonaparte (see Rœderer's works, vol. iii. p. 373, and following), and the "Mémoire concernant la trahison de Pichegru," by Montgaillard. We may judge of it by the following note in the *Journal de Paris* (20th Ventôse): "A draughtsman has drawn the portrait of Georges *from the description published by the Grand Judge*, and an engraving has been made, which is on sale to-day, at the Rue du Coq, Saint Honoré."

The print, which represented the "sixty brigands," with Moreau in the midst of them, and which was certainly done by order of the Government, was fully worthy of the "List of Brigands." This print was sold or seen everywhere; it was simply the list in the *Moniteur* translated for the use of those who could not read. Portraits of Moreau were no longer to be seen; they were replaced by the print in question.

A last word. If Fauriel's narrative could leave any doubt of the provocative part which the police played in the getting up of this plot, such a doubt would be removed by the following passage from Bourrienne's "Mémoires." During two days which he passed with Fouché at his country place, Pont-Carré, the ex-Minister of Police, "who was often very indiscreet," reposed some odd confidences in him. "I derived from them," says Bourrienne, "and from putting together all that he told me, positive proof that he was acting for himself alone, and, without precisely saying to me in so many words: 'I have made up the conspiracy of Georges, Pichegru, and Moreau, in order to get back to the Ministry, and to console myself for not having discovered the plot of the 3rd Nivôse,' he fully confirmed me in the correctness of the ideas which I have expressed in speaking of the schemes of the early part of 1804. He congratulated himself unreservedly on having tricked Régnier, and constrained Bonaparte to recall him, and the proof that he had moved the springs which brought the confederates together, or rather, transformed malcontents into confederates, was that he said to me:

'Informed as I was, if I had remained at the Ministry of Police, it is probable that I should have prevented the conspiracy, but Bonaparte had still to fear the rivalry of Moreau; he would not have been Emperor; and as for us, we should be still in dread of the return of the Bourbons. That, thank God, we no longer fear.'"[4]

Let us now return to Fauriel's narrative.

[4] "Mémoires de Bourrienne," vol. vi. p. 295.

CHAPTER IV.

AN HISTORICAL PICTURE OF THE TRIAL OF GEORGES CADOUDAL AND MOREAU.

THREE whole months had elapsed since the rising of the rumour of the conspiracy against the Consular Government, which, in fact, had no existence since the day on which Moreau had been arrested as an accomplice of Georges Cadoudal; yet neither Moreau, Georges, nor the others who were also accused were yet brought to trial.[1] In the midst of the strange variety of events that accompanied the establishment of the Empire on the ruins of the Republic, the public mind had been hardly at all distracted from what was going on in the Temple prison, and from the approaching trial of Moreau. The general curiosity was indeed heightened by the additional anxiety respecting Moreau's fate with which the still recent remembrance of the death of the Duc d'Enghien[2] inspired the people.

[1] On the 18th of May, 1804, an organic Senatus-consultum had conferred the title of Emperor on the First Consul, under the name of Napoleon the First, and made the imperial dignity hereditary in his family.

[2] [Marg. note.] "22nd March, 1804. 'Keen and recent recollections forboded, so to speak, the issue of this trial, and the gloomy character of those presages was all the more likely to heighten public curiosity. Servile and cowardly epochs have the singular property of lending a certain attraction to public ills that is not troubled by the fear of personal danger near at hand, or by any sense of the duty of preventing or opposing those public ills.'"

This uneasiness manifested itself from the moment of the General's arrest. Bonaparte had murdered the most interesting scion of the ancient families of the kings of France, as a prelude to the formation of the Empire. What a presage was this of the fate of the most illustrious among generals, who had won the victories of the Republic and Liberty, but was now in the hands of his enemy, the new-made Emperor! The nation had just seen how Bonaparte had ascended the throne; by what pretexts, by what means, with what sentiments; and it was a remarkable circumstance that his first acts in the capacity of Emperor were about to decide the fate of the man whom he most feared.[3]

Bonaparte himself, in the midst of the solicitude which his resolution with respect to the Duc d'Enghien must have caused him, of the disturbance which ensued, in the first instance, upon the carrying out of that resolution; of the intrigues which he had to set on foot through the medium of his agents, and even while he quaffed the first intoxicating draughts of imperial splendour and enjoyment, had never for one moment lost sight of the "brigands,"

[3] [Marg. note.] "The public were again and above all frightened by the Senatus-consultum of the 8th Ventôse, by the list of the 16th, and by the violent measures which had been resorted to in the arrest of a great number of the accused."

On the 8th Ventôse a Senatus-consultum was given by which the functions of the jury were suppressed for two years in cases of the crimes of treason and attempts against the person of the First Consul, and against the internal and external safety of the Republic, and the accused, who were to be defended by counsel, were to be tried before a court composed of six judges. According to a note by Fauriel, the latter clause was inserted with the special intention of preventing Garat from undertaking Moreau's case.

whom he accused of having made a plot to assassinate him.

The Criminal Tribunal, and all the agents, both superior and subaltern, were unremittingly occupied by the proceedings against these "brigands." Every other interest appeared to be suspended; every other thought to be laid aside. It soon became easy to judge of the onerous and fatiguing nature of the task that had been imposed upon them.

The proceedings against the conspirators were by this time very far advanced. Twenty-three had already been arrested, and those who played, or were made to appear to play the chief parts were among the number. The others were taken at different times in the course of Germinal. Between the day of Moreau's arrest, and that on which the indictment (*acte d'accusation*) appeared, there is an exact interval of three months, devoted to arranging measures for convicting the accused of the offences imputed to them, and preparing them to be delivered up to the judges. I shall proceed to group together the circumstances that afford an idea of the "instruction" of this great trial, of all the measures taken by the police and the Tribunal in the preparation of it, and of the incidents which bore upon it. Afterwards I shall sketch the history of the trial itself, and narrate the most remarkable circumstances which followed the rendering of the judgment and the execution of it; taking care that all these portions of one same event shall throw light on each other.

The number of persons to whom the judicial informations attached was forty-eight, but fourteen of these (among whom were several women) were persons



who could not be classed among conspirators without manifest absurdity. They were members of the lower classes of society, against whom no other accusation could be brought than that they afforded an asylum to accused persons, on the usual terms for similar accommodation, or otherwise rendered them service according to custom, as to any ordinary employers. There were even some among them who had made useful declarations to the police of their own accord. I shall have very little to say of those persons. It is an almost inevitable injustice of history to forget the misfortunes of obscure individuals, or to pass them over lightly.

The thirty-four others (if we except Moreau, whom it will always be necessary to consider separately) presented certain characteristics which were calculated to give a specious appearance to the accusation against them. Almost all had borne arms against the Republic in the civil wars of Brittany. Several had held commands amongst the insurgents, and the most celebrated of their chiefs, he who had displayed the highest capacity, the staunchest perseverance, the most dauntless courage, was there. Some, whose lack of education condemned them to vegetate in the lowest ranks of society, seemed ill-calculated to play the part of conspirators, but the recollections of a civil war in which all who had a share in it were inflamed by fierce fanaticism, might make them appear to some extent formidable. Some others among these accused persons, without having taken a direct part in the civil war, were bound by strong ties to those in whose interest that war was made. Almost all were united to the cause, not only by common opinions, but

by common bonds, and to the service of the French princes, who were now refugees in various parts of Europe. All were not proscribed in France, but almost all, notwithstanding the half-pardon which was finally obtained of necessity for the various insurgent parties, belonged to a class subjected to the unrelaxed vigilance of the police, who had many times acted treacherously towards them, and always had to dread violent reprisals from them.

If, then, it had only been a question of pronouncing upon the fate of these men, the Government would have been free from either solicitude or embarrassment. The name of Georges Cadoudal, at this period and prior to the trial in which he was to acquire a more honourable renown than he had yet won, awakened none but unfavourable ideas. He was regarded by national prejudice as a mere brigand, and the same view was taken of the men who were associated with him. They might have been brought before a court-martial without exciting the surprise of the public, and condemned without arousing any indignation or scandal ; such an action, whether just or unjust, politic or atrocious, would only have excited idle curiosity for a few days, and then been forgotten ; for one of the great misfortunes of a nation accustomed to violence and arbitrary rule is that it loses the faculty of bearing in mind the crimes from which it suffers.

It was, then, the intention of associating Moreau with Georges Cadoudal that gave rise to all the solicitude, and animated all the precautions of the Government. The greatest of the generals of the Republic was to be presented to the country as the

chief of a band whom they made sure of being able to pass off as base and savage cut-throats. This gives, and it only can give, the key to the mode of "instruction" of the famous trial, and reveals the real motive of all the measures that were taken to secure the desired result.

Immediately upon the arrest of one of the men inscribed upon the famous list of "brigands," within the walls or in the environs of Paris, he was taken to the Prefecture of Police, before being conveyed to prison, unless, indeed, his personal importance or some particular motives procured him the honour of being first interrogated by the Director-general of Police, Réal. But the greater part of the preliminary examinations took place before the Prefect of Police, Dubois.[4] Here I must say a passing word concerning this chief of the Paris police.

Few men were more capable of discharging the functions of that post to the liking of Bonaparte; insolent, vain, and foolish, he was always ready to exercise his deputed despotism upon anybody, provided the order came to him direct from the chief of the state (on that condition he insisted), for he claimed to be a lofty and independent power in his sphere, and he frequently formed a sort of opposition to the

[4] Louis Pierre Joseph Dubois, born in 1758, advocate to the parliament, was in succession procurator to the Châtelet, president of the Criminal Tribunal, Prefect of Police (24th March, 1802), and Councillor of State for life. He was replaced at the Prefecture by Pasquier (December, 1810), and sat in the chamber of the Hundred Days. He died in 1854. "La Biographie Moderne" passes a more favourable judgment upon him than that of Fauriel. It says, "He displayed in that delicate and difficult post the wisdom of a good administrator, and the impartiality of a just judge."

ministry of "high police." Bonaparte's policy was constantly to excite his dislike and jealousy of Fouché, who has always regarded him with contempt as a man incapable of handling the secret springs of the police, elated by the scraps of arbitrary power that he was permitted to grasp, and whose greatest merit is that he can flatter and serve the daily suspicions and fidgety anxieties of the despot in chief, without being capable of inspiring or serving him under extraordinary and difficult circumstances. It would be impossible, without entering into multiplied and repulsive details, to give a just idea of the den called the Hôtel de la Préfecture, in which this underling minister of police reigns. There we find a combination of all that is most hideous in the aspect and in the vices of prison-life; a respectable man rarely comes out of it without having been shocked by some spectacle debasing to humanity, and a vicious man without being more fit and ready for crime, because of the scorn and brutality with which all who are suspected of criminality are treated there.

It was to this place and before these men that not only the persons accused of conspiracy, but the greater number of those who were arrested on suspicion of having had any sort of relations with them, were taken immediately upon their arrest. I cannot pretend to furnish an exact statement of the conduct of the police to the accused, nor to describe in detail all the measures which were used to make them acknowledge their crimes; but, judging of what was done by what it was impossible to conceal, notwithstanding the strong interest that the Government had in keeping everything secret, and all the means of concealment

at its disposal, there is room for surprise and dismay. The facts that are placed beyond doubt, even to the least well-informed, are more than sufficient to fix and justify the judgment of the historian.

Threats of instant violent death, and promises of money, favour, and especially of life, were lavished in turn, and where threats and promises proved vain torture was employed.[5]

The answers extracted by fear or pain to insidious questions put according to a prearranged plan, were recorded to serve as a basis for the judicial proceedings. On more than one occasion those answers were altered with daring impudence or astute treachery. Particulars which rendered them more useful for the purposes of the police were added to the avowals wrung from the accused; and when nothing positively favourable to their designs could be obtained, only what was damaging was recorded.

The conspirators who, instead of being taken to the Prefecture of Police and examined in the first instance by Dubois, were brought before the Director-general of Police to be examined by him, were not treated with any more consideration. It is necessary

[5] It was not only when the "instruction" of this plot was drawn up that torture was employed to extract avowals from the accused. Among the documents relative to the attempt of the 3rd Nivôse there is a letter from Saint-Réjant to his sister, in which the following passage occurs: "I can assure you that since I have been arrested I have suffered martyrdom, and that I have said nothing against my comrades or against the party, although I have been put to the secret question twice. You do not know what this kind of torture is, I will tell you that verbally." This letter was read at the trial, but it did not elicit any protest or observation on the part of the president of the tribunal. (See "Procés de Saint-Réjan," vol. i. pp. 230, 231.)

that these general assertions should be supported by some detail of facts, not only for the satisfaction of the reader, but, also, and even more, for the proper understanding of the subsequent facts and the course of the trial.

It will be remembered that not only Moreau's aides-de-camp, but also officers whose connection with him had been merely that of subalterns or friends, were imprisoned simultaneously with him. Among the latter was one Le Normand, a brigade-major, much esteemed in the army for his valour, and remarkable for combining a taste for philosophic studies with a sound knowledge of the art of war. His vivacity of temperament gave a touch of lightness and even flightiness to his character.

He had been first aide-de-camp to Moreau, and there had been more intimacy between them than was necessarily implied by their relative positions. However, after a certain period a coolness had arisen, and even a decided division, owing, to all appearance, to their reciprocal dislike of each other's political opinions.

Moreau seemed to think that Le Normand's attachment to the Republic was neither strong enough nor fervent enough, and Le Normand felt the same doubt of Moreau ; nevertheless, mutual esteem prevented them from allowing their grievances to influence their opinions of each other, and their dissension only made them do each other more scrupulous justice. Réal wished to reserve the privilege of questioning one whom he believed to be Moreau's enemy, and the honour of making a profit out of his enmity, to himself.

After he had said several things with the object of exciting the resentment of the young officer, Réal concluded by offering him a purse which contained one hundred thousand crowns, and the patent of a general of division, on condition that he would reveal all that he was presumed to know of Moreau's secrets. Le Normand received this offer as it deserved to be received, and Réal had to bear the mortification of having set a trap for the loyal young officer in vain. By the impudence of this attempt upon a gentleman whose high sense of honour and probity was well and widely known, and who could not under any pretext whatever be involved in Moreau's fate, we may judge to what lengths the police ventured to go with men who were regarded by the public as brigands, to whom when they offered life they offered something that they really had to give, and could dispose of without remorse and almost without scandal.

Georges Cadoudal's servant, Picot,[6] a Breton villager, a coarse, fanatical, and violent man, was a special object of the intemperate zeal with which proofs of the conspiracy were sought. On the day of Picot's arrest, Georges was still free, and notwithstanding the mass of evidence that had put the police on his track, in spite of the number and activity of the agents in their employ, they still trembled lest he should escape them.[7] In this state

[6] Louis Picot, a Chouan captain, born at Josselin in 1776. He went to England after the peace of Amiens, returned to France with Georges Cadoudal, was arrested on the 18th Pluviôse, condemned to death, and executed. The dramatic scene that occurred at his examination before the tribunal is related in a later portion of the narrative.

[7] One of the chiefs of the Vendean insurrection, the famous Abbé Bernier, who had become Bishop of Orleans, had under-

of things, the servant was an important person; he could throw a light upon the retreat of his master. At first he was offered a considerable sum of money, which was counted out before him, and he was promised leave to go whithersoever he desired. These overtures having failed, he was garotted, and subjected to tortures as severe as could be inflicted upon him, considering that the practice had long fallen into disuse, and that the instruments ingeniously devised for the administration of torture were not forthcoming. The unhappy man could not resist the pain, and he made revelations in which falsehood and truth were mingled, because they were such as the police desired and suggested.

In the course of several successive examinations, he declared that the plan of the conspirators was either to assassinate Bonaparte or to carry him off; that they had drawn lots to decide which of them should attack him first; and that uniforms had been made for them with that object. He gave information upon the landing of Cadoudal and his companions, and the route which they had followed in making for Paris. They did not fail to make him speak of Moreau. He answered, or rather was made to answer, that he had often heard the conspirators speak of that general, and regret that the princes had given him to them as an auxiliary. We shall see that the police were anxious to suggest this particular

taken to recruit these agents among the former Chouans. On the 30th Pluviôse Bonaparte writes to Murat, "The Bishop of Orleans will send you one Piquartier, of La Vendée. You will employ him as a secret agent, and give him a reasonable monthly salary. He ought to bring you a daily report." ("Correspondence," vol. ix. p. 322.)

declaration to several of the accused; and the cause and motive of that suggestion will be readily perceived.

One peculiarity which history will record, but without surprise, is, that of all the accused who came from England, and who from this sole circumstance had more of the appearance of conspirators, those whose characters had been developed by culture and education, and who consequently had a truer and deeper sense of the fidelity which a man owes to a party when once he has joined it, were almost the only ones who remained impervious alike to threats and torture, and wore out the ardour of the police without gratifying their curiosity. The more rough and ignorant men among the number were almost all weak, and the most cowardly were in general those who were settled in France, and were, so to speak, unconscious auxiliaries of the confederates.

Jean Mérille, Victor Deville, Rubin de la Grimaudière, Louis Marie Burhan, Nicolas Datry,[8] who had

[8] Jean Mérille, called Beauregard, born at Saint-Front, had been engaged in the Chouan affair and the attempt of the 3rd Nivôse. He returned to Paris at the same time as Georges, was arrested on the 18th Pluviôse, condemned to death, and executed. He was twenty-eight years old. Victor Deville, called Tamerlan, son of a labourer at Thiberville, near Bernay; he left the republican ranks for those of the Vendeans, and after the pacification he became the chief of a band of highwaymen. He managed to evade pursuit, went to London, returned to Paris with Georges, was arrested on the 11th Germinal, condemned to death, and executed. Jean Marie Joseph Rubin de la Grimaudière, born at Piré in 1777, served in Condé's army, and afterwards in that of La Vendée. He came from Rennes to join Georges in Paris, was arrested, and acquitted. L. G. M. Burhan-Malabry, born at Questemberg in Morbihan. He had served under Georges. He was implicated in the attempt of

all held the rank of officers among the insurgents during the civil wars of the West, and were still in the prime of life, being arrested and examined at different periods, agreed in their steadfast denial of any project resembling a conspiracy and all complicity on their own part in any such design. It appears that they were treated with great severity and sternly threatened. It is due to them that I should name them, and say a word of their conduct, were it only because three among them were condemned to death, and executed. I shall, however, make no long pause except in the case of those whose replies, declarations, and conduct furnish important data to the history of the case.

. Georges Cadoudal was interrogated by the police with more form and keener curiosity than any of the confederates, and the public were vehemently interested in his examination. He was questioned twice over during the night by the Prefect of the Police, and that while the shock of his arrest was fresh upon him, in the midst of the tumult it had occasioned, of the cruel joy with which it was regarded by those into whose hands he had fallen, and of the threats and insults considered legitimate, when inflicted upon a man who had hitherto been branded with the ignominious title of "brigand." Amid all these causes of confusion and bewilderment, which might so pardonably have led to acts of weakness or want of reflection,

the 3rd Nivôse, detained a year at Bicetre, then sent to Rennes, whence he returned to Paris at the same time as Georges, was arrested, condemned to death, and executed. He was twenty-nine years old. N. Datry, born at Verdun, took part in the affair of Quiberon, entered the Portuguese service, and afterwards rejoined the insurgents of Morbihan. He was arrested with Malabry and Joyant, tried, and acquitted.

he preserved a steadfast courage, and nothing more than he chose to say was extracted from him ; he uttered nothing different from or contradictory of what he had resolved to declare, when he had meditated upon his situation and resolved to accept his inevitable fate with an undaunted heart.

Georges Cadoudal stated that he had come to France there to prepare the means of overthrowing Bonaparte's Government and restoring the Bourbons to their former place ; that those means were not yet available ; that the premeditated attack would not be begun until the arrival of a French prince who was to come from England, and was to be summoned when the time came. He denied all complicity in the plot of the 3rd Nivôse, and declared that he would name none of the persons with whom he had consorted or who had afforded him asylum.

The answers of Georges to questions concerning the object which he proposed to effect by coming to Paris, and on the real state of his project at the moment of his arrest, are extremely remarkable, inasmuch as they give a precise and true idea of this famous conspiracy, so far as the intention of the conspirators is concerned.

The replies of Joyant, the aide-de-camp of Georges, were in agreement with his own. Joyant made the same general avowal, but also refused to make any revelations respecting persons who might have been compromised by them.

The result of the examination of the Marquis de Rivière was similar.[9] The marquis was a gentleman

[9] Charles François Riffardeau, Marquis de Rivière, born at

of mild manners, cultivated mind, noble character, and extreme loyalty to the opinions which he held. His position as the favourite and aide-de-camp of the Count d'Artois, his well-known devotion to the royalist cause, his reputation as a man of ability and one who was incapable of change of opinion, procured him the honour of being questioned by Réal on two separate occasions.

No other acknowledgment was obtained from him than that of an intention to ascertain for himself whether the state of the public mind and of things in general in France was or was not favourable to the hope of a Bourbon restoration. In vain did Réal endeavour to make him give up the names of any who might be endangered, and to make him declare that his party counted upon the assistance of Moreau.

The declarations of the brothers Polignac may be placed in the same class with the preceding in a general sense, but they present certain peculiarities which lend them a distinct aspect, and prove that the brothers endeavoured to reconcile the feeling of honour and even truth with the fear inspired by the police. They were both questioned by Réal, and each, on being interrogated as to the part in the conspiracy which he believed Moreau to have taken, allowed it to be understood that he regarded

La Fertè (Cher) in 1765. He was officer in the French guards, emigrated, served in Condé's army, and afterwards entered the service of the Comte d'Artois, who entrusted him with several missions in La Vendée. He arrived in Paris with Pichegru and Georges, was arrested (4th March), and condemned to death. The penalty was commuted to transportation after a term of imprisonment at Joux.

the general as an auxiliary, without, however, knowing how far his fidelity might be trusted. We shall soon see that the elder brother pushed this declaration still farther, and turned a constructive falsehood into a positive one. He yielded altogether to the perfidious instigations of the police, being soon weary of the feeble effort which he seems to have made at first, to tell nothing but the truth in speaking of others, and to speak only of himself.

One of the conspirators whom the police had pursued most unrelentingly was Coster Saint-Victor. He had lain ever since the 3rd Nivôse under imputation of having been concerned in the villainous attempt of that day, and this charge would be sure to have a fatal effect upon his present situation. He appeared before Dubois, who threatened to have him shot if he did not acknowledge himself guilty of all that was imputed to him ; that is to say, of having taken part in the affair of the 3rd Nivôse, and of being one of the "brigands" who had recently come from England to assassinate the First Consul. The dignity, the courage, the stamp of truth that marked all his replies, struck even Dubois himself. Not only did he deny that he had taken any part whatever in the attempt of the 3rd Nivôse, but he also repudiated the charge of any kind of complicity with a more recent project of attack upon the Government. His innocence in reference to the first accusation would have been amply demonstrated to any other authority except the police; as for the second, although it was more probable, there is not a shred of evidence that it was more just or better founded.

Réal's curiosity, or probably his vanity, led him to endeavour to extract a confession from a man who had humiliated power and strength in the person of Dubois, as courage and nobility of mind when arrayed against them can humiliate. The chief was not more fortunate than the subordinate. Saint-Victor came out of his hands with his secret, if he had one, safe, and having given additional proofs of his noble-minded pride, the sincerity of his political opinions, and the impossibility of his lending himself to an assassination plot.

This unfortunate young man, who belonged to a highly respectable family in the Department of the Vosges, and was endowed with all the advantages of nature and education, had hastened to the West immediately on the breaking out of the civil war. There he had distinguished himself by his courage, the zeal with which he had served the royal cause, and his deep regret for the cruelties of that war, and the mere brigandage into which it degenerated. From that time forth until the day of his arrest, his life had been a succession of misfortunes and persecution. I shall have occasion to speak of him again. He was one of those who created the greatest interest, and whose guilt was the least clearly proven among the conspirators, and he suffered the extreme penalty.[1]

[1] [Marg. note.] "If he had perished, either naturally or by the hands of the police, only the day before, his memory would have been held merely that of a brigand. Condemned, however, to appear before a tribunal and to be assassinated with the formalities of justice, he died honoured, reputed innocent, and he will be remembered with regret, if our sorrow for the more illustrious names and memories leave us leisure to mourn the less."

If all the accused had imitated almost all those of whom I have spoken, the police would have been obliged either to withdraw their assertions respecting the conspiracy, or to have the conspirators secretly shot. We shall see not only that they were not reduced to this alternative, but to what extent they had reason to think the result of their proceedings was sufficiently complete to bear broad daylight, and also to hope that the accused might be sent for trial without any chance of escape; for hitherto the declarations of the two Polignacs were too vague to afford the certainty of this.

A first triumph was obtained over Bouvet Lozier,[2] one of the men on whom the police had not counted beforehand. He had been rather intimate with Georges, Pichegru, and Lajolais; a good and sufficient reason for his being one of the first arrested.

Lozier was brought before the Prefect of Police, and subjected to two successive examinations, both very minute and prolonged. The questions put to him proved to demonstration that they were founded upon former revelations, some of which were independent of those that Lajolais could have made, and in fact had made. All his answers were frankly and positively negative, and given in a tone of irritation, which bespoke anger and impatience rather than firmness and constancy.

He was taken to the Temple on the 20th Pluviôse, and seemed to be forgotten there for three days; but

[2] [Marg. note.] "Bouvet was an *émigré;* he bore the title of Adjutant-general of the Army of the Princes. He had been an officer before the Revolution." He was arrested on the 19th Pluviôse at No. 36, Rue Saint Sauveur.

at dawn on the fourth day he was found half-strangled, and retaining barely sufficient strength to ask that he might be brought before the Grand Judge, in order to make an important declaration. He was immediately taken to the Hôtel de la Police, and there he dictated the strangest declaration that ever was made by a man in a situation like his.[3] His words were taken down in writing.

"A man who comes forth from the gates of the grave," thus he began, "who is still overcast by the shadow of death, calls for vengeance upon those who by their treachery have flung him and his party into the abyss in which they lie." The rest of the declaration was a plain and full commentary upon this emphatic and mysterious text.

Bouvet's party was the party of the French princes, which was working in Paris for the overthrow of Bonaparte's Government, and the restoration of the Bourbons. The perfidious traitor who had ruined this party, and on whom Bouvet Lozier in his despair invoked vengeance, was Moreau; Moreau who had promised his support to the cause of the Bourbons, and who, when the adherents of that cause came to act in concert with him, retracted the promise he had given, the promise which had drawn them to Paris, and designed to employ them solely for the purposes of his own personal ambition.[4]

Details, imprudently solicited or accepted by the police, without consideration of whether it would

[3] [Marg. note.] "His hands were horribly swollen when he appeared before Regnier." He made his declaration at midnight, on the 22nd Pluviôse. (See "Procés," vol. ii. p. 158.)

[4] "The accusation that I bring against him," adds Bouvet, "is perhaps supported only by half-proofs."



afterwards be possible to keep up any appearance of probability, were brought to the support of this man's declaration. Not only was the meeting on the Boulevard de la Madeleine represented to have actually taken place, but another in the Champs Elysées was alleged. Very likely a meeting was desired by Pichegru or Georges, and promised by Lajolais, but it never was granted by Moreau.

This impudent declaration eloquently proved that, the torture had been more skilfully and effectually applied in the dark solitude of a prison than at the Prefecture of Police, and that Bouvet Lozier had added to the infamy of his statements the gross falsehood of imputing the outrage by which they had been wrung from him to a mad act on his own part.

Six days after this declaration, Bouvet underwent a third examination before Réal. The object of this interrogation was to commit Bouvet more deeply to his allegations against Moreau, to make him say that the French prince who was to take the command in chief of the royalist party immediately upon its organization, being dissatisfied with the insufficiency of the resources of that party, had resolved, in consideration of that insufficiency, to accept the support of Moreau, or to solicit it; and that the hopes of the prince were chiefly founded upon the promises and the influence of the republican general. So well pleased was Réal with the compliance of Bouvet Lozier that he ventured to put questions to him on purpose to verify the accuracy of Lajolais' reports, and confirm his strict obedience to the instructions of the police.

At the same time that Réal was obtaining these

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have amply proved, if the fact had needed proof, that his examination had highly displeased the police. On the 29th he was again questioned by Réal, who had found time in the interval to concoct the plan of this new experiment. The Councillor of State and Chief of Police began by giving Rolland to understand that he had received information which would enable him to test the truth of his replies, and went on to question him with the object of obtaining an acknowledgment that he had for a long time been abetting the efforts that were made to bring Pichegru back to France; that with this design he had formed relations with Lajolais, and he was informed by him of Moreau's interest in the return of Pichegru, of a negotiation that had been set on foot, and a journey made to London by Lajolais at Moreau's desire. Rolland's replies to all these questions were evasive or negative. But at length Réal approached the events that had followed Lajolais' return, Pichegru's conferences with Moreau, the account of the result of those conferences which the former had doubtless given him, and the mediation between the two generals with which he was entrusted; and in order to deepen the impression made by his questions, he entered into the most minute details of Pichegru's short sojourn at Rolland's house.

"And now," said Réal, "you had better be careful lest by keeping silence you should deprive the police of knowledge which it is important for them to have; for you will only force me to think you an accomplice of the conspirators, and not merely their confidant. I strongly advise you, therefore, to state plainly to me not only what Pichegru told you of his inter-

view with Moreau, but also what Moreau himself said to you when you went to him on behalf of Pichegru." In order to induce Rolland to do this with less hesitation, Réal repeated the substance of the conversation with Moreau.

It was then that Rolland discovered to what an extent he had been betrayed by Lajolais; but being more alarmed than incensed by such conduct, he imitated it, and became, all of a sudden, so far as in him lay, the fellow-villain of him whose infamy he cursed. Abandoning all reserve, all half-confessions, all round-about ways, he told out plainly everything that had passed between Pichegru, Moreau, and himself. Coming to the famous conversation that he had held with Moreau on behalf of Pichegru, he spoke as follows:[1]—

"In the day (after he had had a conversation with Pichegru on the preceding evening) I had to go and make the famous overture, which I could no longer evade, to Moreau. I hoped, I do not know why, that the general would get me out of my difficulty. This is as nearly as possible the answer he made me: 'I cannot put myself at the head of any movement for the Bourbons. They have all behaved so ill, that such an attempt would not succeed. If Pichegru brings about an action in another sense—and in that case I have told him it would be necessary that the Consuls and the Governor of Paris should disappear—I think I have a sufficiently strong party in the Senate to obtain authority. I should immediately use it to

[1] Fauriel has transcribed only the first six words of this declaration, which we give from the text of the report of the trial. (See "Procés," vol. ii. p. 483.)



place all his people in safety, and afterwards to do whatever public opinion dictated; but I will not pledge myself to anything in writing.'"

I have faithfully quoted this portion of Rolland's declaration, because it furnished the most serious imputation brought against Moreau; because I believe it truly represents what actually did occur, and also because it explains several important parts of the plot laid by the police against Moreau.

Rolland had no sooner made this declaration than he was transferred from St. Pélagie to the Abbaye. He was acquainted with the prison gate-keepers, and the severity with which he had hitherto been treated was so completely relaxed that he could hardly have been more comfortable in his own home. The next day the indulgence of the police was extended to allowing him to go to his house, "to put his affairs in order," he said. This proved how well pleased the police were with Rolland's baseness, but it would have been prudent to dissemble their gratitude to him a little more adroitly.

Couchery, the young man who accompanied Lajolais in his most suspicious expeditions, and aided Pichegru in his most perilous proceedings, and who could therefore add fresh details to the information in the possession of the police, or confirm those they already had by direct testimony, was not arrested until a late stage of the affair. He was taken on the 8th Germinal, and brought before Réal. At his first examination he acknowledged his relations with Pichegru, and stated that he had visited him at Chaillot, where Georges had found an asylum. He also named the confederates whom he had seen with

these two chiefs. He spoke of the interviews that had taken place between Moreau and Pichegru, and especially of the meeting on the Boulevard de la Madeleine, as if Georges had been present at them. These first avowals, whatever they were, might have been suggested by fear and cowardice only; but two days later he presented to Réal an elaborate and detailed declaration which had been required from him on a fixed day, and the tenour of this document was such as to raise a suspicion of more than fear and weakness on his part. He related all he knew concerning Lajolais' journey to London, and all he knew of Pichegru's actions both as a witness of them and from information obtained from others; he also gave it to be understood indirectly that Georges Cadoudal had maintained relations with Moreau. Proceeding then to reason upon the facts which he had just stated, and interpreting the intentions of the persons whose actions he had just revealed, he declared himself "inclined to believe" that the reconciliation of Pichegru with Moreau was not unconnected with the projects of Cadoudal, but was only a preliminary. There was more uncertainty or greater hypocrisy in his opinion upon the secret views of Moreau, but he furnished a wide and ready field to the interpretations and instructions of the police; and in the state to which they had already brought things they did not want Couchery's declarations to be impudent; it was enough that they were damaging and treacherous.

Rusillion was another of the confederates with whom the police had every reason to be pleased.[6]

[6] F. L. Rusillion, a major in the Swiss army, was born at

He was born in Switzerland, and had been a captain in the regiment whose services were formerly sold to France. The Revolution caused him to retire to his own country, where he was largely mixed up with the schemes and interests of the French *émigrés.* Switzerland had been subdued by the French troops, Rusillion was arrested, brought to Paris and imprisoned in the Temple, where he remained three whole years. Being set at liberty he returned to Switzerland, where he was, to all appearances, subjected to fresh persecution; he then retired to England, and renewed his former acquaintance with Pichegru and the Comte d'Artois. He had determined to accompany the general on his expedition to France, as a proof of his devotion to the prince.

On the very day of his arrest he made a declaration before the Prefect of Police, which was simple to the point of silliness. He stated that, to his great regret, he had joined with Pichegru and some others to accomplish the overthrow of the French Government; that he had been told Moreau was acting in concert with Georges and Pichegru with the same purpose; but that in the conferences which took place between those three chiefs, Moreau, while persisting in the overthrow of Bonaparte, wanted to effect it for his own advantage, and, as Lajolais had assured him in London, for the advantage of the Bourbons. To account for these frank accusations against himself and his real or pretended accomplices,

Yverdon in 1748. He landed with Pichegru at Reville, was arrested on the 15th Ventôse, tried with Georges, and condemned to death. The penalty was, however, commuted, and in the following year he was set at liberty.

Rusillion represented his conduct as an act of vengeance for the injustice of the French Government towards him.[7] In short, his declaration was a parody of the revelation of Bouvet Lozier.

Of all the accused who had not sold themselves beforehand, Rusillion seems to have offered least resistance to the curiosity of the police. I have indeed failed to discover that he hesitated to betray his companions for one moment. It is surprising that such an associate should have been chosen by Pichegru.

Rochelle,[8] who had left a lawyer's office for the ranks of the Republican army, and passed from them into a legion of French *émigrés*, had been arrested with Rusillion, and on being questioned by Dubois, he denied all connection with the persons whom the police were pursuing. Réal then examined him, but failed to elicit more than a repetition of these denials. When, however, he was handed over to the "instructing judge," a few days afterwards, and confronted with Lajolais, he acknowledged the conspiracy, and declared he had been informed by Lajolais that Moreau was at the head of it.

After all these avowals and declarations, Léridan's [9]

[7] See "Procès," vol. ii. p. 191.

[8] E. F. Rochelle, born in Paris in 1768. After several campaigns in Condé's army he returned to France, and from the insurrection of the 13th Vendémiaire he was aide-de-camp to General Damian. He was obliged to fly, but returned to France in 1798, was arrested, escaped, got away to England, and came back with Pichegru. He was arrested on the 15th Ventôse and condemned to death, but the penalty was commuted.

[9] Léridan was born at Vannes in 1778. On the evening of the 18th Ventôse he took Georges out with him in a cabriolet, and on that occasion Georges was arrested. He escaped for the moment, but was arrested shortly afterwards, and as he was

still deserve to be quoted, as having formed the basis of the hopes and calculations of the police. We have seen that Léridan, who was to Georges what Couchery was to Pichegru, was arrested with Georges.[1] He acknowledged before the Prefect of Police all that he had done for Georges, and the most remarkable point in his statement was concerning a journey into Brittany, with a purpose which was, no doubt, connected with Cadoudal's hopes for the ultimate success of his designs against Bonaparte's Government, founded as those hopes were upon a region so well accustomed to revolt and civil war.

I have not yet said anything of the conduct of Lajolais in presence of the police, or of the manner in which he played the part of conspirator in a conspiracy whose most useful and subservient instrument he had been. The reader may perhaps be surprised that his name should appear so late, that he should come after the others who served as material for the edifice built up by the police; but we have seen what he did, and from that we know what answers he must have made to Réal's questions. Many were his equivocations, evasions, and devices to secure some means of defence, while making himself out to be the accomplice of those whom he had but betrayed. He appeared six or seven times in succession before Réal, who had not even ordinary readiness enough to put his questions so that the

condemned to only two years' imprisonment, he was believed to be in complicity with the police.

[1] We have already explained that the chapter in which an account of the arrest of Moreau, Georges, &c., was to have been given, was left unwritten by Fauriel.

answers might seem to have been disputed and provoked. Lajolais was so over-subservient as to allow statements which were not only false, but were also of no importance to the police to be inserted in his declarations. After having divulged all Pichegru's secrets, all his relations with Moreau, and mixed up with the facts everything that suited the purpose of the police, he pretended that his conduct towards Pichegru and Moreau had been dictated by no other motive than that of reconciling those two great men with each other and with the Government.

I have briefly summarized the declarations of only sixteen out of the thirty-three persons who were accused of conspiracy, and for this I have had two reasons. Firstly, I wished to avoid, so far as I possibly could, relating the substance of the famous trial, and therefore had to limit myself to recording the conduct of the most important of the accused persons, and the meaning and spirit of the declarations which formed the basis of the act of accusation, and supplied the chief incidents and characteristic features of the trial. Again, other confederates whose conduct and avowals furnished less important matter to the history of the trial did not make those confessions before the police, but before the instructing judge, and up to the present I have confined myself to giving an idea of the violence and threats to which the police resorted on taking the initiative in the prosecution.

These resources, however considerable they appeared, were not sufficient to enable the police to dispense with treachery and cunning. In proof of this assertion I shall cite only two instances, not

exactly as the most remarkable, but as the most undeniable, and because the police failed, notwithstanding all the precautions they employed, to keep them from a scandalous publicity.

One of the accused was a person named Monnier, a schoolmaster at Aumale, a little town in Normandy. His wife had also been arrested on the same charges, i.e. that of having given lodging for some time to three of the confederates, Louis Ducorps, his brother Noël Ducorps, and Raoul Gaillard, an intimate associate of Cadoudal, and that of having sheltered Georges himself and five or six of his companions for one night after their landing in France.

Monnier's wife had a young girl named Payen as a servant, and this girl witnessed the arrival of Georges Cadoudal and his associates at Monnier's house. Shortly afterwards she was sent away from Aumale to Paris by her employers, and taken into the service of Verdet, one of the accused, who was also charged with having afforded a refuge to Georges.

Monnier and his wife are arrested on the 12th Pluviôse—they could not have been denounced by any person except Querelle—the woman is dragged away from six small children and an infant of a week old, and ill and terrified, she is thrust into the Aumale prison. There a woman volunteers to give her not only all the care that her condition requires, but the consolation for which her motherly heart craves. The woman enters into her sufferings, shares them, arouses her apprehensions about the hospitality which she had shown to suspected persons, and pretending a hypocritical zeal for her safety, she proposes to

prevent the dangerous revelations which might be made in Paris by the girl formerly in the employment of the Monniers, and who had already been arrested. She then writes a letter on behalf of Monnier's wife to the girl Payen, in which she instructs her how to reply to the questions which will be put to her, and this letter is so contrived that the individuals whose names the girl is charged not to reveal are pointed out clearly though indirectly. Instead of reaching Payen, the letter goes into the hands of the police; for the woman who is so solicitous for the safety of the poor creature whom she is nursing, is no other than an agent of the police, expressly employed to suggest the idea of this letter and to get it written.

The police are not satisfied with having received the desired document; they answer it in the name of the girl Payen, who can neither read nor write, and has not the least notion of what is taking place, and the letter of the police is framed so as to induce their victim to send a second, confirming the preceding one.

Monnier and his wife, reckoning on the efficiency of their correspondence, and not doubting that the girl Payen would scrupulously carry out the system of denial dictated by it, pursued the same course themselves for a long time, and made no admissions until their own letters were produced and presented to them.

The second instance which I have promised to cite, although it was not more treacherous, was productive of graver consequence; and the police looked for more valuable results from it.

It will be remembered that Michel Roger,[2] the intimate friend of Coster Saint-Victor, was arrested with him. These friends were of the same age, they came from the same place, and they had embraced the same cause with equal ardour. While Coster Saint-Victor commanded a legion of rebels in the district of Vitré, Roger commanded Cadoudal's cavalry in Morbihan. Roger, like Coster, had refused to make any kind of communication to the police, and they had been obliged to take him to the Temple without having extracted anything from him that would send one of the accused to the scaffold. Shortly after, gendarmes were placed on guard over him, and relieved each hour. The prisoner with the ready indiscretion of a talkative Frenchman, not to be repressed even by a prison and suspicious company, got into conversation with his guards, and discussed the conspiracy, the rumours that had arisen concerning the intentions of Georges, and the part taken by Moreau. Such talk as this was evidently a mere indiscretion of Roger's; it could not possibly have been more; but the gendarmes treated it as a serious communication, and hastened to impart it to their officer. He instantly carried it to Thuriot,[3] who was then at work upon the "instruction"

[2] Michel Roger, called Loiseau, born at Toul. After having served in the corps of the *émigrés*, and in the Austrian army, he retired to England, took part in the Breton insurrection in 1799, under the orders of Georges Cadoudal, returned to England, and came back to France before the attempt of the 3rd Nivôse. He once more went to England, but was brought back to Paris by Georges, where he was arrested with Coster Saint-Victor on the 19th Pluviôse, at the Rue Saintonge, was condemned to death, and executed.

[3] Jacques Alex. Thuriot de la Rosière, Advocate to the Parliament, had been a member of the Legislative body, and also of

of the trial. The four gendarmes deposed in succession that they had heard Roger speak of Moreau, Pichegru, and Georges as the leaders of the conspiracy, and say that the former was to take the command of the army of Boulogne and to lead it upon Paris. The four gendarmes who were guilty of this infamous action had only obeyed orders.[4]

We have now seen how the principal confederates behaved and answered when examined before the police. There was another class over which the police exerted a like influence, although it consisted of persons who were only accused of having furnished the conspirators with lodging, arms, or clothing, or done them other services of a similar kind. The number of the accused was fourteen, six of these being women. They almost all lived by letting lodgings, and were poor, uneducated people, to whom the title of conspirators could only have been applied in ridicule.

Not one of these persons refused to give the police the information which was required, and there is little doubt that they broke no faith by doing so, for it is impossible to imagine that they were in the confidence of the conspirators. It is hardly proved that they even knew the names of the latter, and in any case their evidence could not be of any great importance, as it could only prove what was already proved, i.e. the presence of the conspirators in Paris, the visits they exchanged, and the precautions taken

the Convention. He was then a judge of the Tribunal of the Seine, and although he had been instructor and reporter in the case of Georges and the others accused, he nevertheless sat upon the trial and took part in the judgment. We shall see hereafter what bitterness he displayed against Moreau.

[4] This matter is afterwards referred to.

by some of them to conceal themselves. It had no bearing on the conspiracy or its objects.

The man who had brought the principal conspirators to the dwellings in which they had found shelter was Charles d'Hozier,[5] formerly page to Louis XVI. After he had lost his position and his fortune, he joined the party of revolt in the west.[6] He acknowledged having done all that was stated in procuring lodging for his accomplices, but was careful to deny that he had acted thus with any intention of conspiring or favouring conspirators.[7]

Nevertheless, neither the insignificance of this class of accused persons, nor the non-importance of their testimony for the purposes of the police, served to protect them from threats, ill-treatment, and torture. The accused were not safe from the treachery of the police, even within the prison walls. Men who passed for captives like themselves were shut up with them to make them talk, and report what they

[5] Charles d'Hozier, born in Paris in 1775. He was page of the royal stables from 1789 until the 10th of August, 1792. He had set up a livery stable and coaching establishment in Paris, which enabled him to render more than one service to Cadoudal. He was arrested, tried, and condemned to death, but the penalty was commuted to imprisonment, followed by transportation.

[6] [Marg. note.] "He had been a volunteer for a long time, and had afterwards been second in command of the legion of La Guerche. He was employed at the pacification to effect the disbandment of the legion of Mardelles, and settled at Rennes with Generals Brune and Hedouville to superintend the execution of the treaty. In 1801, being molested at Rennes, he came to Paris."

[7] [Marg. note.] "He acknowledged, however, although vaguely, that he had heard a project for overthrowing the Government, but without violence (just as the same thing had been done on the 18th Brumaire), discussed at Georges' abode. It was not until after the arrest of Georges and Pichegru that he thought they might be among the chiefs."

said. Several were watched, night and day, by gendarmes, in the same way as the principal conspirators. We have already seen the purpose that was served by this measure, and we shall soon see that it formed a part of a plan more deeply laid and sagacious than appears at first sight.

Even the women were not exempt from the harshest treatment, and some of them were subjected to the grossest insult, in order to verify suspicions equally base and baseless.[8]

Such, then, were the chief results of the initiative taken by the police in the procedure against the conspirators. The examinations conducted, the declarations collected by the police, and the various documents in their possession were the exclusive and necessary materials for the judicial "instruction" which was to follow.

On the 15th Ventôse, the Grand Judge, who was at once Minister of Police and Justice, sent the documents that had been collected up to that date to the tribunal. These documents were largely supplemented afterwards, but the most essential, the papers which really constituted the treasure of the police, were comprised in the first batch.[1]

On the following day the president of the tribunal[2] appointed the "judge of instruction," who was to pro-

[8] [Marg. note.] "A law of the 11th Germinal enacts that no woman can be tried on a charge carrying capital punishment unless it has been ascertained whether she is pregnant or not."

[1] [Marg. note.] "These documents were the result of all the preceding measures of the police."

[2] Hemart. He had been procurator to the parliament of Paris, and was appointed president of the Criminal Tribunal of the Seine after the 18th Brumaire.

ceed to examine the accused. The honour of this important task devolved upon Thuriot, and he was well worthy of it. Among the twelve members of which the tribunal of the Seine was composed, he was no doubt not the only one base enough to make the judicial prosecution that he had to conduct subserve the passions and the plans of the Government, but he was the only one who had been a member of the National Convention; and this circumstance gave him a special aptitude for the commission with which he was charged. In fact, Thuriot had constantly sat with the party of the Mountain; he had shared its principles and its extravagance until the period of the 9th Thermidor, when he joined the ranks of those who undertook to revenge upon his creatures after his death the cruelty and tyranny for which they had applauded Robespierre in his prosperity. In common with every other member of that famous assembly, Thuriot had been inspired by the spirit which characterized it, by that fierce hatred of royalism, that detestation of kings and their partisans, which is, unhappily, quite compatible with love of tyranny and ignorance of liberty. To hand over partisans of Louis XVIII. to Thuriot for him to prosecute was simply to place personal enemies in his power, and it might safely be taken for granted that he would ask no other reward for the services which he was expected to render to despotism than the pleasure of having acted as its instrument.

The part of instructing judge was difficult, but it was at least very simple, and strictly defined.

The accused were to be led to confirm the avowals that had been obtained from them by the police;

anxiety. Would not men w
under the surprise and shoc
had only yielded to the fear
repented, in the leisure and
of having endangered the li
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accused and the witnesses s
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Almost all the conspirat
before the instructing judge
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done. Others hesitated to

Others demanded the rectification of several false and inaccurate statements which had been slipped into their depositions made before the police; but Thuriot eluded the majority of these demands, sometimes by cunning, sometimes by impudence.

Looking at the summary result of the instruction, and relatively to its real object, which was to preserve the fruit of the measures and exertions of the police in its integrity, we can judge that not only was that object accomplished, but also that the appearances of the trial became still more favourable in the hands of Thuriot than they had been in those of the police.

Armand Polignac, who had spoken of Moreau in his examination before Réal in an uncertain and evasive way, stated to Thuriot that he knew a very serious conference had taken place at Chaillot between Moreau, Georges, and Pichegru, and that this conference had resulted only in unsatisfactory uncertainty. He also declared he had heard it said that Moreau appeared to have private interests, and not to be firmly faithful to the cause of the princes.

Rusillion added to all he had already alleged, that from information which he had received he had always regarded Moreau as the man to be chiefly counted on, and who was really counted on, because he seemed to have an imposing force at his disposal, and to possess great ascendency over the authorities.

The occasions on which Moreau was confronted with Lajolais, Rolland, and Couchery, were of the greatest importance in the interests of the police.

It was not until the 9th Germinal that Moreau

in the course of the proceedings was that of the declaration of the four gendarmes by Roger.

was made acquainted with Rolland's examination; on the 22nd of the same month he was informed of Couchery's, and eight days later Lajolais' replies were communicated to him. Thus it was not until nearly two months after his arrest that Moreau had a real knowledge of his position and the charges against him.

Dating from the first of these communications, Moreau, who had previously denied everything, acknowledged a portion of the facts contained in the examination of his denouncers, and was obliged to refute and explain the remainder. He denied that he had even given Lajolais any mission for England. He admitted not only that he had received Pichegru on one occasion at his own dwelling, but that he had been questioned by him concerning the chances which the re-establishment of monarchical forms in France offered for the return of the Bourbons. He alleged that in reply he had pointed out to Pichegru that an attack directed against the Government in general, and especially an attack made for the advantage of the Bourbons, would be madness.[4] He explained his famous conversation with Rolland by saying, that Rolland having asked him whether he had pretensions to authority in his own person, he had replied that any such pretension on his part could be nothing but folly; that he had no influence whatsoever, leading a quiet life as he did, far from the members of the great bodies of the State; and that for him, Moreau, to have any pretensions, the whole Bonaparte family, the Consuls, the Consuls' Guard,

[4] [Marg. note.] "He made this answer on the 9th Germinal. Pichegru was not dead."

the Governor of Paris, &c., would have to disappear.

Such was the substance of Moreau's answers upon the matters comprised in the examinations of Rolland and Lajolais. His denials and his interpretations were correct upon many of the points, but on the latter it is likely that Rolland's statement was more near the truth than the explanation of it put forward by Moreau.

Many reflections might be made upon Moreau's having acknowledged almost all the facts on which the charges brought against him bore; I shall, however, place only two before the reader. Was it magnanimous to admit that Pichegru had made overtures to him to join in a conspiracy? Was it more prudent to place a subtle interpretation upon his conversation with Rolland than to deny it strongly? As the doubt between the veracity of Rolland and that of Moreau bears upon the fact itself, would not the general have had more advantage than in a supposition where the matter in dispute was merely the terms of a phrase? In the state of things set up by Moreau's answer, Rolland did not indeed cease to be an infamous man, but Moreau's conduct assumed an equivocal aspect.

As for Lajolais and Rolland, I have learned nothing which leads me to think that they experienced any difficulty in maintaining their respective attitudes in presence of Moreau. The former persisted in his falsehoods, mingled with truth; the latter in the almost exact truth. The one persevered in his infamy because he had resolved beforehand on being infamous; the latter thought, perhaps, that

the part of an informer was relieved from some of its shame by the genuineness of the information.

While the instructing judge was proceeding with the judicial informations against the accused who were at this time safely under lock and key, the police did not relax their search for those who had hitherto escaped them. Three subordinate agents of the conspiracy, named respectively Lemercier,[5] Lelan, and Cadoudal, were arrested in the vicinity of Rennes, at the beginning of Germinal, when on their way to a place of safety, after the alarm of the arrests in Paris. Lemercier was a journeyman printer, the two others were farmers. They were transferred to the Temple, and placed in the hands of Thuriot, without having passed through those of Dubois and Réal. By dint of threats, and terrifying them by the prospect of being immediately shot, Thuriot forced from them some statements dictated by himself, which, although they played no great part in the instruction of the trial, supplied certain corroborative details. They denounced some of the confederates who had taken part in the second landing, and they asserted that during their own stay in England they had received regular pay, and on their departure an extra gratuity, together with pistols and poniards; the pay and the gratuities being attributed to the English Government.

Louis Ducorps,[6] also a farmer, had acted as guide

[5] Guillaume Lemercier, born at Bignan, took part in the Chouan war, and lived in England for a short time after the pacification in 1800. He was arrested with J. B. Cadoudal near Saint Aubin du Cormier. Both these persons, with Lelan, who was arrested one day later, were condemned to death, and executed.

[6] L. Ducorps, born at Saint-Piat (Eure et Loire) in 1758.

to several of the conspirators who had lodged at Monnier's house, when they left that refuge to resume their journey, either from Aumale to Paris, or from Paris towards the coast, and had fled when Monnier and his wife were arrested, was taken on the 22nd Germinal at a village near Chartres. He made some unimportant and untrue declarations under torture, as well as acknowledging the services he really had rendered to some of the conspirators.

I now come to the hearing of the witnesses, who may be divided into three classes.

The first consisted of those who could testify to the facts of the action of the police and their pursuit of the conspirators, such as the arrest of each, with its particular incidents.

The second consisted of those who could reveal facts which fixed the intention of conspiring, and acts done in accordance with that intention, upon the accused.

The third consisted of those who could tell what were the means adopted by the confederates to escape from the pursuit of the police, the places of refuge which they had found, and the relations that they had kept up either between themselves or with persons who were strangers to their association and its purposes. On the first point the witnesses could not fail, and the circumstances to which their evidence

After the insurrection of Sancerrois, in which he took an active part, with the rank of captain, he was arrested and sentenced to ten years' imprisonment, escaped, and retired to Orleans. He acted as guide to Pichegru, Georges, &c., on their landing. After their arrest he escaped to Saint-Piat, was arrested there, and tried with the other confederates, sentenced to death, and executed. He is not to be mistaken for Noël Ducorps, who was acquitted.

was directed were capable of being exactly defined. It was, for instance, very easy to prove legally that Georges Cadoudal had killed one man and wounded another on the occasion of his arrest.

The second point, which was the most important to establish, was also the most difficult. Testimony bearing upon facts directly relative to the intention and the acts of the conspiracy was almost necessarily deficient; and therefore the police took so much trouble and resorted to such strange means in order to elicit admissions from the accused. They could find only four witnesses who really belonged to that class, and we shall easily be able to estimate their quality.

The reader will remember the four spies[7] belonging to a class generally despised even among spies, on whose information Picot and Le Bourgeois[8] had been condemned to death. Besides, their evidence, which had nothing whatever to do with the conspiracy actually in question, bore only upon one of the accused persons, Roger, called Loiseau, the friend of

[7] These four spies were two tailors, named Bouillé and Marchand, the wife of Bouillé, and a feather-seller named Desjardins. They had gone to London in year X., and settled there; but after they had revealed the projects of Picot and Le Bourgeois to Andreossi, the French ambassador, they at once left England and came to Paris, where they repeated their denunciation. See the declarations of these persons, in the third volume of the "Procès."

[8] T. Picot, born at Rouen, a soldier in the Chasseurs de la Montagne, deserted in order to join the royalist army, and served successively under Scépeaux and Frotté, who made him chief of division. After the pacification (1800), he was arrested at Rouen with Le Bourgeois and Querel. The three men were sentenced to death by a court martial. Picot and Le Bourgeois were shot. Querel, as already stated, saved his life by becoming an informer.

Coster Saint-Victor; and according to that evidence, supposing it to be trustworthy and judicially admissible, Roger might indeed be held an accomplice of Picot and Le Bourgeois, but not of Georges.

Witnesses of the third class were very numerous. Men obliged to change their place of abode frequently, to disperse in twos and threes, and to communicate by means of persons who were either neutral or ignorant of their secrets, were liable to being exposed by a number of witnesses in proportion to the difficulty and the necessity of their changes of domicile.

It was, however, in the nature of things that all the men who had given shelter to the conspirators, who had served as messengers for the correspondence between them, who had, in short, rendered them services of any kind, might be considered accomplices of the conspirators, if the police, and even justice, pleased to regard them in that light.

The police, nevertheless, selected from among the numerous class of those who had given shelter or otherwise rendered service to the conspirators only fourteen persons, who were treated as accomplices, and were to be brought to trial as such. The police could just as readily and reasonably have indicted a hundred of this class, but they attached no great importance to it. It was enough that they had at their disposal a certain number who could give a greater appearance of truth to the general accusation by varying its shades. The police plan was to get a greater advantage out of the others by making them appear as witnesses. As the nature of their testimony did not bear upon the fact of the conspiracy, it was not to be hoped that it could furnish direct proof

against the conspirators; but their mere numbers lent an imposing appearance to the trial in the eyes of the multitude, always more ready to count witnesses than to weigh evidence.[9]

These witnesses were treated as severely by the police as the confederates themselves. Like the latter, they were interrogated with threats and treachery,[1] almost all were thrown into prison, and several underwent tortures, either in prison or at the Prefecture, as severe as those by which the accused had been forced into admissions to the destruction of themselves or their accomplices. Even women, although it was an all but generally accepted principle of jurisprudence not to call women as witnesses, were cruelly tormented in order to force from them statements which the police believed could be obtained, but which they would not make spontaneously. A girl,[2] only fifteen years of age, and who could not possibly have had anything important to reveal, was not exempted from treatment which at the present day it is against the principles of justice to inflict upon criminals convicted of a capital offence. I have heard the number of witnesses of the third class who were subjected to

[9] One hundred and thirty-nine witnesses for the prosecution were examined on the trial.

[1] The ninety-second witness, the girl Boubet, a dressmaker, deposes: "I was so severely treated that I quite lost my head. They threatened me, they said, 'You are going to be shot, guillotined'" ("Procès," vol. v. p. 314).

[2] Dénise Lemoine, seamstress, called as a witness, says in her deposition, "I shall have something to say—it is that I have suffered a great deal, sir, from their having put chains on my feet—me, a girl of fifteen." Said the president, "You can make your complaints. Write to the procurator-general" (who was present, and said nothing!). See "Procès," vol. vi. p. 245.

torture put down at fourteen, and although I am not in possession of any positive information on this point, I am convinced the statement is not exaggerated.

All the proceedings, the confronting of the accused with each other and with the witnesses, took place in one of the large rooms of the Temple, in presence of a not numerous public, composed of gendarmes on duty, a small group of spectators who had obtained permission to gratify their curiosity from the police, the instructing judge, or the Temple gate-keeper, and a band of police agents whose business it was to listen to and report all that was said around them. The police either distrusted their own accomplices in the very act of their procedure against the accused, or they wanted to make out fresh grievances against the latter at the moment when they already regarded them as condemned. After this fashion, then, was the article of the penal law, which enacts that the instruction of a criminal trial shall be public, like the pleadings at the trial itself and the sentence which follows them, carried out in this notorious instance.

It now becomes as necessary as it is easy briefly to retrace the chief details of the proceedings of the police and of the judicial information in this matter, and the grounds upon which the Government based their hope of getting out of an affair with the honours of justice which they had planned and prepared with all the devices of cunning and all the excesses of violence.

Their business was now to prove two distinct theories: that there existed a conspiracy for the purpose of restoring the French monarchy to the Bour-

bons, and that Moreau was implicated in that conspiracy. As proof of the first fact they had to offer the avowals of one of the chiefs of the conspiracy, and those of five or six of his principal agents or confidants.

For proof of the second they counted on the information extracted from the three or four men who had been either witnesses of the relations between Moreau and Pichegru, or go-betweens in them.

From the first moment of his arrest Pichegru's conduct had, however, opposed an obstacle to the schemes and experiments of the police which they had vainly endeavoured to surmount. The absolute and total denials of the general were of necessity exceedingly embarrassing, for not only might they endanger the revelations of Lajolais and the avowals of Rolland, carrying as they did at least equal weight with the latter; but they weakened Moreau's own admissions to a certain extent. Pichegru, denying obstinately and without exception all that had passed, undoubtedly injured more or less the effect which the police expected to be created by such community and uniformity as existed between the admissions of Moreau, Lajolais, and Rolland. The police had, therefore, from the first moment, left no means untried of obtaining answers favourable to their purpose from Pichegru.

On the very evening of his arrest the general enjoyed the special distinction of being questioned by Réal and Dubois jointly, either because chance had brought them together on the occasion, or because Bonaparte had given orders to that effect, so as to render the examination of so important a confederate the more imposing. The questions put to him were

insidious and menacing by turns; they represented to him that it was to the honour of a man who had played a glorious part in the army and in the State to tell the truth respecting the facts on which he was questioned.

He met everything by absolute denial or jesting evasion.

"With whom did you return from England to France?" asked the questioner.

"All alone," replied the general.

"By what way?" added Réal.

"By the way of a ship."

He contented himself with answering every question touching directly upon the facts upon which the police wanted to get admissions from him, "It is false," roughly, firmly, and in a tone of mingled insolence and contempt. He denied that a reconciliation had taken place between himself and Moreau, that he had seen him, or commissioned any person to speak to the general on his behalf. Lastly, he refused to sign the deposition, alleging that the questions and answers were falsely and treacherously misrepresented. It was true that in the question which Réal put to Pichegru concerning his reconciliation with Moreau he had made the former say distinctly that the latter repented of having lent his aid to the 18th Fructidor, and that he no longer regarded certain events in the same light. This was a very perfidious insinuation against Moreau, which the police could not fail to turn to their own purpose.

He was again examined by Réal on the following day, and this second interrogatory had no more favourable result than the first.

He was made aware (but not until the 10th Germinal) of the avowals of Rolland, the statement of the perfidious Lajolais, and the equivocal and treacherous declaration of Couchery; then he was confronted with those three persons, and subsequently with several others among the accused who had spoken of him. He persisted in his refusal to explain himself upon the facts alluded to in their examinations; he scorned even to give them the lie, and would never consent to sign any report of his confrontation with them.

Torture was inflicted upon him in the secrecy and silence of his prison; certain details of that torture have been related in which it is difficult to believe, even on the part of the man for whose interest it was resorted to. But Pichegru's tormentors failed to extract from him any avowal whatever, good, bad, or indifferent. In short, from the moment of his arrest Pichegru acted like a man who felt himself lost, who would not dispute his life with the police, or give them the advantage of appearing to have immolated him with all the solemnity of judicial form.

Bonaparte was furious at this obstinate refusal to make the avowals which so many others had made; and he was also disturbed by it, because, as I have already said, Pichegru's conduct, without essentially endangering the result of all the preparatory judicial and police measures, might nevertheless be an obstacle in the trials, produce an impression contrary to that required by the Government, and multiply or strengthen the chances of failure.

Such was the state of things on the 15th Germinal. On the morning of the 16th, Paris rang with the news of Pichegru's suicide in prison. This intelligence was

first announced to Thuriot at the Temple, and instantly transmitted by him to the public accuser, André Gérard. That official immediately summoned the judges of the two sections of the tribunal, communicated the information he had just received, and required them to take measures to verify the fact, establish the identity of the suicide with Pichegru, and collect all the attainable information relative to the event. The tribunal nominated a commission of five persons, whom it charged with the execution of the requisition of the public accuser. The commissioners proceeded to the Temple, were conducted to the room inhabited by Pichegru, saw his corpse stretched upon a bed, and gave orders that it should be immediately examined by five surgeons and a physician nominated by them. These six persons came before the commission of the tribunal, and having formally described the corpse examined by them, solemnly declared that they had observed upon it all the signs of strangulation, and found upon it the instruments by means of which that strangulation had been effected.

They found a black silk cravat knotted round the neck; this had been gradually tightened by means of a stick which turned in it; the cheek on the side on which the stick had been turned was stained with blood, and one end of the stick was fixed upon the cheekbone, so as to bring the exact amount of pressure necessary to effect the strangulation to bear upon the cravat. Added to these particulars were other signs, certain to exist in a strangled corpse. After they had received this report, which attested that there was at the Temple an individual who had died by

strangulation, the judges caused it to be certified by six witnesses that the individual in question was Pichegru.

Two of the objects of the Judges' Commission were secured by this; they now had only to collect information upon the event that had occurred. There was little to learn in addition to the facts of the report. Pichegru's gaoler declared that he had taken away the key, and on re-entering the room in the morning had found the prisoner dead.[3] This circumstance, more than any other in the report, was calculated to produce the belief that Pichegru had strangled himself.

Finally, the commissioners gave orders that Pichegru's body should be removed from the Temple to the tribunal; and the same day, at six o'clock in the evening, they made their report of all the operations which had been entrusted to them, and of the result of their investigations. The commissioners required that the body should be opened by the same surgeons who had examined it.

On the morrow, the 17th Germinal, the tribunal reassembled for the execution of the judgment of the previous day, and separated to await the report of the surgeons. Their report was made in the presence of two judges and the deputy of the Govern-

[3] This gaoler, named Papou, deposed that he had gone into the general's room at seven o'clock, and that "not seeing him move, and fearing lest some accident had befallen him, he went on the instant to inform citizen Fauconnier, the gatekeeper at the Temple." ("Recueil des Pièces Authentiques Relatives au Suicide de l'ex-Général Pichegru," p. 17.) The account given by M. Thiers is incorrect. He says, "Towards daybreak, the gaolers on duty, hearing some stir in his room, entered, and found him suffocated, his face red, as if he had been struck with apoplexy."

ment commissary. The tribunal resumed its sitting to hear an anatomical and physiological report of the operation which had just been completed. But the conclusion of this report was as strange as its contents were disgusting.[4] It deserves to be quoted here :—

"We have observed that the œsophagus was perfectly healthy throughout all its length, so far as the part of the neck where the strangulation has been effected ; therefore we continue to believe that Charles Pichegru, ex-general, has committed suicide by the means which we have indicated in the report of yesterday."

This conclusion of the report clearly conveys its motive, but I am not aware of what means were employed to induce six surgeons solemnly to declare before a tribunal a fact which it was absurd for them to attest, unless they were prepared to add either that they had been witnesses to the fact, or that it was physically easier for Pichegru to strangle himself than to be strangled by others.

Immediately after the reading of this report, the Government commissary rose and delivered a set speech. I will quote a few passages from it :—

"Citizen magistrates," said he, addressing the judges, "the publicity which you have given to all the operations necessary to establish the fact of the suicide of Charles Pichegru, ex-general, fittingly concludes the proceedings prescribed by you in this matter.

"You have not to arraign the memory of a man who was accused of being guilty of great crimes.

"The instruction of the affair in which he was

[4] It is evident that Fauriel had never read a report upon an autopsy.

implicated is going on; it will soon become public, and the stage it had reached at the moment when Pichegru destroyed himself will add a strong moral proof to the legal proofs that establish the facts.

"Malignity, intrigue, party spirit, enmity, and malevolence will then attempt to pervert public opinion in vain.

"Contemporaries will say, and posterity will repeat,—

"'A Frenchman having become profoundly guilty towards his country, saw no midway between voluntary death and the scaffold; he committed suicide.'"

These pompous assertions were terminated by a requisition for the interment of Pichegru's body, and for the printing and distribution of the report of the surgeons and physicians which had just been read. The tribunal immediately gave orders accordingly. Towards evening on the same day a hearse, accompanied by three or four persons, arrived at the cemetery of Saint Catherine, near the Jardin des Plantes. The hearse was not observed by anybody, or, if it attracted a passing glance, was taken for that of some poor person who had not even wherewithal to insure the attendance of a few friends at his grave. This humble funeral was Pichegru's; his coffin was placed in the earth in the presence of two of the doorkeepers of the Criminal Tribunal—*his* coffin, who, ten years before, would have been accompanied to his resting-place with every mark of honour and testimony of respect in the name of the whole nation.

Such was the end of General Pichegru, a man whose renown had for a brief space filled the whole

of Europe. He was born in 1761, in the small town of Arbois, in the department of the Jura. Although his family was poor and obscure, he had no reason to complain of fate, for he was carefully educated. At an early age he displayed a passionate taste for study, and a decided talent for the exact sciences. At twenty, he was mathematical and philosophical tutor in a school kept by the Minimes, or Friars Minor, at Brienne. It was at their school at Arbois that he had been educated. At twenty-two he entered a regiment of artillery as a private, and was made sergeant-major in 1789. This was not, in the opinion of all those who knew him, the limit of his capacity, but it was that of the chances of a low-born man in the artillery.

He adopted the principles and the sentiments of the French Revolution at its outset with eagerness, and, so far as can be known, with sincerity. It was on the recommendation of the Bésançon "Société Populaire," when he was its president, that he was nominated chief of a battalion of the volunteers of Gard, with which he joined the army of the Rhine. He very soon made his mark, even more by his talents and firmness of character than by his valour: for the latter was at that time too common a quality in the army of the Republic to convey a title to distinction.

He was present at the disaster of Weissembourg, one of the most signal reverses ever experienced by a French army; a defeat which marks the awakening of that heroic spirit among the soldiers of the Republic which enabled the determination to conquer to surmount the want of means. Saint-Just was then, in

his capacity of delegate from the Committee of Public Safety, the "Supreme Superintendent" of the army of the Rhine. Saint-Just, whose sincere and earnest wish it was that the French Republic should resemble that of Sparta, who would probably have been regarded as a sage in Lacedemonia but died on the scaffold in France, was looked upon as a scoundrel by the more violent, and as a madman by the more indulgent. He raised Pichegru to the command-in-chief of the army. The secondary motives of this selection were Pichegru's abilities; the chief motives were his obscure birth, and the privilege of having served in the lowest ranks of the army.

Pichegru, acting in concert with Hoche, who then commanded the army of the Moselle, drove the enemy out of all that portion of French territory which they occupied in the neighbourhood of the Rhine, and forced them back under the walls of Mayence. The victories of that campaign were perhaps due rather to Pichegru's force of character than to his military talents, and to a repetition of partial advantages, rather than to those great deeds of war which became frequent—one might, indeed, say habitual—only when the soldiers of the French army were able to combine the experience of a prolonged military training with civic enthusiasm, and to add the confidence born of many glorious recollections to both.

In the following campaign Pichegru was appointed to the command of the army of the Nord and that of Sambre and Meuse. The campaign, rendered famous by the conquest of Holland in the great frost, lent fresh lustre to Pichegru's renown. The next year he

returned to the army of the Rhine, and, strange to say, it was at the moment when he was publicly receiving the testimonies of the national gratitude, and reaping all the fruits of glory, that he entered upon a negotiation with the Prince de Condé, which unmistakably indicated treason to the Republic—that is to say, to the party which had hitherto profited by his services and still reckoned upon their continuance.

It is an ungrateful and vain task to endeavour to explain the motives of the deviation of men, taken as individuals, from the general rules of human prudence and conduct, and to reconcile exceptional individualities with some abstract type of human nature. If, nevertheless, we persist in trying to discern what possible motives to betray the Republic Pichegru can have had, we must bear in mind the circumstances under which he resumed the command of the army of the Rhine. He came from Paris, where he had witnessed the scandalous days of Prairial, year III. It was in those days that the National Convention was besieged and for a time dissolved by the mob, who loudly demanded bread and the Constitution of '93, while it was abandoned by one-half the population of Paris to the insults and threats of the other half. During the whole of the Revolution there was no period at which the strength and the presence of Government was so completely withdrawn for a season, and when it was so difficult to foresee what was to become of France. The gratuitous assassination of Ferrand, the deputy from the Hautes Pyrénées, by the insurgents, and the threats of general pillage, aroused the Parisians from their apathy. They set themselves in motion to defend, not the Govern-

ment, but their shops and their lives. Pichegru was then appointed commandant of the Parisian army; his name effectively reinforced the party of the Convention; the insurrection was put down, and that National Convention which had disappeared at the moment of danger, its voice having been silenced at last by the threats of the insurgents, having gained the victory by chance and with assistance that was not accorded with either the zeal or the esteem of the public, resumed its functions. The first act that followed the victory of the Convention was its sending to trial—which meant the scaffold—twelve of its own members, who all stabbed themselves with the same weapon before the tribunal which had orders to treat them as the authors of the rebellion. Thus ended this strange insurrection; its real ringleaders have remained unknown, its apparent object was the revival of the Reign of Terror, its success was at first complete, but it led to no result.

Such was the scene that Pichegru had witnessed on returning from the army of the Rhine; a strange one, which implied a Government absolutely discredited, and a nation wearied and disgusted in the extreme; very shortly afterwards the first negotiations of Pichegru with the Prince de Condé took place. Efforts have been made at sundry times to cast doubt and uncertainty upon this act of treason; but since those who were the Prince de Condé's agents in the affair have published the account of it in the "Mémoire de Montgaillard," since persons devoted to Pichegru—being employed to arrange and decipher documents relating to that negotiation—have acknowledged that they burned the papers by which

Pichegru was compromised, and since the general's subsequent conduct has confirmed the previous discoveries made about him, it is totally impossible to justify Pichegru. We may still wish to excuse his intentions and his views, but the attempt cannot serve his memory, so long as it is held as a principle of private and social morality that a breach of promised and pledged faith cannot be justified by any intention.

The relations of Pichegru with the Prince de Condé were early suspected. He was recalled from the army, appointed to the embassy to Sweden, which he refused, and lived in profound retirement at Arbois with his family until his nomination to the Legislative body in year V. There he became the head of a party which desired the restoration of Louis XVIII.—or at least behaved as if that were its object—and was included in the proscription of the 18th Fructidor, year V.; a proscription which was rendered fatal by the extreme measures that resulted from it, and the part taken by the army at a period when Bonaparte was already the hero of the day.

Pichegru, having been transported to Guiana, made his escape with seven of his companions in misfortune, and went to England, where he resided in the vicinity of the princes. We have just seen what were the results of that proceeding; if anything can lighten the stain upon his conduct and his name, it is undoubtedly the inflexible firmness of his conduct when he was in the hands of the French police, and the tragic and mysterious interest of his death.

Publicity of the fullest and most solemn kind was given to the acts of the tribunal. But if that publicity was intended, as there is no doubt it was, to

prevent or to appease the popular suspicions and rumours respecting Pichegru's end, a more ill-judged and ineffectual precaution never was taken.

Everybody in Paris talked of the death of Pichegru, and most people did not attempt to justify their suspicions by any special reasons. To believe that the death of Pichegru was the doing of the Government, they only needed to remember how capable of crime the latter was, and to recall the still recent fate of the Duc d'Enghien.

Others, who desired to make their suspicions appear more just or more intelligent, explained them by various arguments. The greater number were agreed that it was impossible for a man to strangle himself in the manner in which it was proclaimed that Pichegru had committed the deed, because the strength to press and twist a stick passed into the cravat so strongly as would be necessary to produce strangulation, must necessarily fail the suicide before the fatal point had been reached. This was the opinion of all men of science.[5]

Several persons, debating the matter with greater depth and subtlety, found motives for their incredulity in the very nature of the measures that had been taken to prevent or remove it. "Since when," they asked, "has it become necessary to resort to so much form and detail to prove an event so simple as a sui-

[5] That may have been so at the period when Fauriel wrote, but at the present time the evidence that has been collected in France, and also in foreign countries, is so conclusive that no doubt can be entertained of the possibility of a suicide effected as that of Pichegru was. See, among others, the facts narrated under the head of "Strangulation" in the "Dictionnaire Encyclopédique des Sciences Medicales," vol. xii. p. 339.

cide ?—and since when is it competent for a criminal tribunal to make a declaration respecting an occurrence which, in the ordinary course of things, would be sufficiently established by a police report ? How does it happen that the judges assemble in greater number and with more solemnity, to ordain the autopsy of a corpse, than to try a living man accused of a capital crime ? Why do not those judges, since their intention and purpose was to verify the suicide of Pichegru, collect the only kind of proof admissible in such a case, that supplied by the depositions of witnesses taken on the scene of the event ? From whence do they derive the impudence or the folly that enables them to admit the declaration of a physician and five surgeons, who, being called in to view the corpse of a man, declare that the man has strangled himself ? Is it not evident that such a statement can only be made by corrupt, or wrung from timid men ? Is it not still more clear that it could not be made the grounds of a judicial decision by any tribunal that was not composed of incompetent, corrupt, or intimidated judges ? "

Again, there were others who called to mind that reports of Pichegru's death had been circulated a fortnight previously—afterwards he was said to be ill; and persons who remembered these rumours observed that it was one of the familiar features of Bonaparte's policy to prepare the public mind for events which he presumed would impress it deeply by news of an analogous or somewhat similar kind, so as to blunt the edge of the popular astonishment beforehand.

A general, if erroneous, view of the matter, taken by those who laid claim to a knowledge of the spirit

of the time, and the ways of Bonaparte, was that Pichegru had been made away with in order to accelerate the progress of the trial. It was essential to get rid of a troublesome and obstinate man, whose sturdy and persistent denials might change the pre-assumed course of the discussion.

Whatever these reasonings and suppositions were worth, they were to be heard everywhere; all the police reports for several successive days were full of the public talk concerning the "assassination," not the suicide, of Pichegru.

A caricature[6] was privately circulated, in which Pichegru was represented lying on his bed with a long cravat round his neck, and Regnier, the Grand Judge, with Réal, the Director-General of Police, pulling at either end of it, the countenance of each being distorted as hideously as was that of the unhappy victim of their murderous strength. That so horrible an incident should be turned into ridicule in such a way is sufficiently significant of the tone of the public mind at the moment.

Bonaparte, who was as much enraged by these suspicions as if they had been founded upon truth, at last lost patience, and resolved to silence them. On the 24th Germinal he dictated to Murat an order of

[6] This caricature is not to be found in the precious collection of historical prints bequeathed to the National Library by M. Henin. Caricatures against Bonaparte and his Government, done in France, or rather, in Paris, are not numerous. To that mentioned by Fauriel we may add one to which Thibaudeau alludes, and which was privately circulated after the re-establishment of public worship. The First Consul was represented drowning himself in a holy-water font, surrounded by bishops, who pushed him down with their crosiers. "Mémoires sur le Consulat," p. 165.

the day which will remain recorded in history as one of the most curious documents, not only of that epoch, but in the annals of arbitrary power. The following is the substance of it :—"The Governor of Paris directs the adjutants, officers, and sub-officers of the garrison and the National Guard, whosoever they may be, to disabuse the minds of the citizens respecting the false rumours for which malevolent persons are endeavouring to obtain credence. They do not hesitate to state any falsehood. Now they assert that the death of Pichegru is not the result of suicide ; again, they assert that each night a great number of prisoners are shot.[7] The Criminal Tribunal is using the utmost activity in the procedure under instruction. The arrests which have taken place since that of Moreau have but confirmed his culpability more strongly. Up to the present moment all that the Grand Judge has said, and nothing but what the Grand Judge has said, has been proved. Although he knows that anything, more or less, that may be advanced will make no impression upon the citizens, the Governor of Paris thinks it well to recommend the officers and sub-officers of the National Guard who are distributed about the different quarters of the city, not to allow the public to be misled. The adherence of all classes of the people is an essential element in the confidence and attach-

[7] This rumour was not without some foundation. More than a month previously, on the 18th Ventôse, Bonaparte, in writing to General Davoust, gave him the news of Cadoudal's arrest in a postscript, and added, "The barriers are closely guarded by sentinels at fifty paces. Some brigands presented themselves, and were either taken or shot." "Correspondance de Napoléon I.," vol. ix. p. 351.

ment which the First Consul has a right to expect from the French." [8]

It is no uncommon thing to find Governments opposing the force of arms to that of opinion, but it was reserved for Bonaparte to invoke the former against the latter with such frankness as this. The proclamation produced but little effect, and it offended the majority of the Ministers. Public rumour ceased, indeed, to deal with the death of Pichegru, not from the fear of forcible intervention, but because public attention, having been occupied by the incident for two whole weeks, was tired of it. Very likely the subject would have been dropped even sooner, but for the precautions of the Government, which revived the flagging interest it had excited.

Popular rumour then died away; but it was succeeded by whispers even more strange than those which they replaced, and these whispers, being confined within a narrower circle, produced a deeper and more lasting impression. It was no longer vaguely presumed that Bonaparte had caused Pichegru to be assassinated, but it was asserted that the actual agent of the assassination had been discovered. The person named was Roustan, one of his Mamelukes, to whom Bonaparte had granted a reprieve from capital punishment for sedition at Cairo. Ever since that time Roustan had been attached to his personal service, and was entirely devoted to him. Bonaparte appeared to place great reliance upon this man's fidelity. Soon afterwards, it was said that Roustan

[8] See the *Journal de Paris* of the 25th Germinal, year XII., p. 1318. This order of the day was not inserted in the *Moniteur*.

was aided in his task by two other Mamelukes, and that the three were introduced into the Temple, and gained access to Pichegru's room under the following circumstances:—

Pichegru was guarded day and night by three gendarmes, who were relieved hour by hour. It was alleged that the three Mamelukes got into his room in the middle of the night, in the disguise of gendarmes, and, throwing themselves upon him simultaneously, left him in the state in which he was found on the following morning.

I cannot vouch for the truth of these rumours, although I am persuaded that Pichegru did not strangle himself with his own hands.[9] Other reports were circulated, which were much more unlikely, and indeed, to my thinking, absurd. It was said that when Pichegru's body was examined by the persons appointed, a note in the handwriting of Bonaparte was found in the hair. Different versions of the contents of this note were given. Some said it was an invitation to Pichegru to come to Paris; others, that it was a promise of pardon or favour under condition of his making certain avowals, which were required from him to complete the proofs of the conspiracy in which he had dabbled. I need not dwell any longer on these rumours. I have not recorded them here as being worthy of any credence, but only that I might give an idea of the opinion that was at that time entertained of the character of

[9] So widespread was the belief in the assassination of Pichegru, that, several years afterwards, on Madame de Rémusat's asking M. de Talleyrand what he thought of "that death," he replied, "It happened very suddenly, and in the nick of time." "Mémoires," vol. i. p. 349.

Bonaparte. It is a fact, as strange as it is certain, that the rumours of the manner in which Pichegru had been assassinated, and the papers found on his dead body, were not only well known, but held to be well founded by several of the judges who took such immense pains to persuade the public that Pichegru had killed himself.

The judicial instruction in Moreau's case was brought to a conclusion on the 11th Floréal, and had lasted nearly two months. This was not too long, considering the number of the accused and the witnesses, and also the difficulty of securing the success of the prosecution before the tribunal and the public. The whole of the days and a portion of the nights were devoted to this instruction by Thuriot, who gave an account to the Director-General of Police of the stage at which each sitting had left the affair, of the advantages that he had gained, and the obstacles that he had encountered; and the measures necessary for bringing the trial to the desired point were discussed with the Superior Police, who supplied daily all the fresh information which could strengthen the hands of justice in dealing with the accused.

On the 11th or 12th Floréal, Thuriot placed all the documents of the "instruction" in the hands of the Government commissary, who was to draw up the act of accusation. This indictment was completed on the 25th of the same month, and so brief an interval being allotted to so onerous and difficult a task, one in which it was necessary to say nothing that might afford an insight into the hopes and the action of the authorities in the matter, would seem to

prove that Bonaparte was impatient for the termination of the affair. He wanted, in fact, to be left in peace to enjoy the sweets of empire, without any trouble or care, after he had removed the last thorn of the Republic from his crown.

The act of accusation was published almost simultaneously with the Senatus-consultum of the 28th Floréal, by which the Republican Government was changed into an hereditary royalty.

The accused had only six or eight days in which to make themselves acquainted with the act of accusation, and to decide upon their line of defence. Short as the interval was for them, it seemed long to the impatient public, who were as eager to witness the struggle of the accused with the enmity and the might of the Government, as if there had been the least security that innocence and truth would come out winners in the end.

At length, on the 8th Prairial, the proceedings were opened, and the accused, to the number of forty-eight, assembled on those same benches on which so many unfortunate men and women had sat to hear the doom of death pronounced upon them in the time of the Revolution. This was, I believe, the largest number of accused persons that had ever appeared before a tribunal as accomplices in the same enterprise since the Revolution; and never, perhaps, did a medley of men, so different in renown, opinions, and interests, appear before the Revolutionary Tribunal itself. The conqueror of Hohenlinden by the side of the most obstinate chief of the insurgents of La Vendée, agents of the French Government, side by side with confidants of the *émigrés* princes, poor

tavern-keepers, and women of the lowest ranks of society, mixed up with men who had taken an active part in the strife of factions and in civil war; there was something in this to rouse the dullest imagination. Other recollections of the same epoch were also awakened. At the Revolutionary Tribunal a jury sat by the side of judges; on this occasion there was no jury, but twice as many judges as usual in even the gravest cases. Judges and accused were alike in the presence of spectators; but with this difference—the first-comers were admitted to the Revolutionary Tribunal in any number that the space could hold. Here, one-half the spectators had been admitted by tickets issued by the police, or by the principal officers of the court. The space apportioned to those whose only claim was that of first-comers was very limited, and care was taken to prevent its being filled, on the pretext that the public must not be inconvenienced, while soldiers and gendarmes, the former disguised, the latter employed openly, and police spies, each adroitly placed for the purpose, watched each word, gesture, and movement that might betray the secret sentiments of the spectators. The same differences, the same contrasts, were to be noticed outside the court. The Revolutionary Tribunal used to be guarded only by detachments of the National Guard, ill-armed with pikes; but here was an imposing array of military. Strong detachments of cavalry and infantry were placed at all the avenues, and seemed to besiege the judges as well as the prisoners. By the irony of fate, most of the soldiers who composed these detachments were placed, some on guard over a general who had led

them to victory, others on guard over those same rebels with whom they had been confronted during the prolonged struggle of the civil war in the West.

Now, as formerly, detached groups in the vicinity of the court, and especially in front of the principal entrance, waited with silent curiosity until news should be brought to them of what was going on inside. The people did not venture to express their ideas and feelings, their presentiments and suspicions, and were afraid even to appear too eager to learn what they were burning to know, dreading above all that their words might be overheard by the spies who were gliding about everywhere, to pick up every expression or murmur of discontent.

Meanwhile the drama was proceeding. The greater number of the prisoners were really calm; they all appeared so.

After each of the accused persons had stated his name, age, and quality, according to the prescribed rules, the clerk of the court began to read the act of accusation or indictment. The reading of this was important, as it necessarily indicated the disposition of the Government which had prescribed its plan and dictated its spirit.

Gérard, the Public Accuser, began by a succinct narrative of the origin, the formation, and the object of the present conspiracy. He traced it back to Pichegru's negotiation with the Prince de Condé in year IV. (1795), and represented the whole course of the general's conduct, from the moment of that negotiation down to the affair of the 18th Fructidor, as pursued in conformity with a treasonable plan for the restoration of the Bourbons to

the throne. From the silence maintained by Moreau for four months upon the correspondence that proved Pichegru's treason, Gérard drew the conclusion that Moreau was guilty towards the Government, and he made that silence a ground for the insinuation that Moreau was no stranger to the treason which he had afterwards denounced.

He then reverted to Pichegru's escape from Cayenne, dwelt on his appearing in London among the French princes, and the British Government, as the soul and the arm of their common enterprises against the Republic, as having undertaken to carry out, in the service of those two allies, a more widespread and ably-concerted plot against the French Government than any of those which had hitherto proved abortive. This plot had been concocted immediately after the Peace of Amiens.

The part to be played by Pichegru was no longer doubtful; but it was necessary to the success of his designs that he should have a French general, popular both in the army and among the people, at his disposal. He knew Moreau's character, and cast his eyes upon him. He employed David to negotiate his reconciliation with Moreau; David undertook to do this, and succeeded. He was arrested at Calais, while conveying favourable assurances from Moreau to Pichegru in England.

At this stage the Public Accuser introduced the infamous Lajolais, as sent directly by Pichegru to Moreau from London to Paris[1] to replace David, and

[1] [Marg. note.] "He is represented not only as the ambassador of Pichegru, but of the princes and the British Cabinet."

assume his *rôle*, and as having shortly after set off for London, charged with a decisive and favourable answer from Moreau.

From that moment, according to the assertions of the Public Accuser, the plan was concocted, its execution was fixed, and the three landings which took place on the coast at Dieppe were represented as the immediate and direct consequence of this embassy of Lajolais.

Such was the prelude, and, so to speak, the general sketch of the act of accusation. Perhaps there was not among the spectators a single individual capable of appreciating the extent and excess of impudence and falsehood that pervaded both the facts alleged, and the deductions, respecting the intentions of the accused, drawn from them. Any one who knew how little pretext for such assertions could possibly be afforded by Moreau's letters; any one aware that Lajolais had never come from London to Paris as the envoy of Pichegru, but had been sent from Paris to London in order to bring Pichegru to the former city; any one, in short, who was capable of perceiving how utterly absurd and contradictory it was to begin by representing Moreau in the light of an accomplice of Pichegru's first treason, and to proceed by supposing that a reconciliation between them was necessary to enable the two generals to understand one another, would have felt a well-founded fear of the fate that was prepared for the accused.[2] A Government which

[2] [Marg. note.] "Never did any historian, having the archives of facts at his disposal, and being free to combine them without offending antagonistic passions or contending interests, arrange them in such strict sequence, or with greater pretension to cer-

founded such an accusation on such audacious lying was certainly resolved beforehand to reap all the fruit of its falsehood. The details of the act of accusation did but form the development of this general sketch, subjected to divisions, and reduced to a formula which gave it the appearance befitting a judicial accusation.

The act of accusation turned upon three principal points. The first was the establishment beyond a doubt of the fact that a conspiracy had been formed against the life of the Chief Consul and against the internal and external safety of the State. The second was the proving that the animating soul of that conspiracy was the English Government. The third was the obligation to show that each of the accused persons then before the tribunal was really and truly one of the originators of the conspiracy, or an accomplice in it, or had been guilty of breaking the law of the 9th Ventôse, which had been passed to secure the capture of the conspirators immediately upon the discovery of the conspiracy.

"The proofs of the existence of the conspiracy," said the Public Accuser, dealing with the first point, "are so clear that it is impossible they can fail to carry conviction to every mind."

These proofs were the avowals of the accused—that is to say, almost all those who, without naming accomplices, accusing, or compromising anybody except themselves, had acknowledged that they had come to Paris, not precisely to overturn the consular Government and restore the throne of the Bourbons,

tainty, than the fundamental assertions of the act of accusation displayed."

but to see whether the means of effecting such an overthrow and such a restoration existed, and, in that case, to collect and organize those means. The avowals of Georges Cadoudal and Charles de Rivière only were such as to entitle them to be fairly and clearly placed in this category. The Polignacs, notwithstanding their reserve and equivocation in speaking of some among the accused, had plainly named several.

Those persons who had made the other admissions had, for the most part, yielded to torture or threats, and the nature and consequences of their avowals compared to the former, sufficiently indicated the difference of the intentions and feelings that actuated them. By the former, none were accused but those who made them; and, indeed, only their intentions, not their actions, were accused; the latter were charges against accomplices. The only distinction to be drawn was between those persons who, yielding adroitly and prudently to the threats and insinuations of the police, acknowledged that they had cooperated in the projects of the conspirators without knowing their intentions; and those who, when denouncing the others, were either frightened by threats or seduced by promises into reserving no means of defence to themselves, but unreservedly declared themselves accomplices of the conspirators both in fact and intention. Among the former are Rolland, Couchery, and Lajolais, so far as his position as an accused person is concerned, and without regard to his *rôle* of informer-in-chief. Among the others, Bouvet Lozier, Rusillion, Louis Picot, and Louis Ducorps hold distinguished places. "Who,"

asks the Public Accuser, winding up his statement of the bearing and sense of these avowals, "who can doubt the fact of a conspiracy which is admitted by those very persons whose interest lies in contesting it?"

After having insisted upon this proof of the existence of the conspiracy, drawn from the avowals of the prisoners, the Public Accuser undertook to demonstrate that the first step in the execution of the conspirators' plan must be the assassination of the First Consul. "This is a point," said he, "upon which common sense forbids any division of opinion."

Nevertheless, amply evident as the point in question appeared to him, the Public Accuser condescended to adduce a proof of it; that proof was the already-related declaration of the four police spies employed in London, on which, it will be remembered, Picot and Le Bourgeois were condemned. Deville and Roger, who were also compromised by their declarations, were among the accused; hence the evidence of the connection between the two conspiracies. To say more of this would be to bring the power of evidence itself into doubt and discussion. Thus ended the first part of the indictment.

It did not seem at all more difficult to prove that the English Government was the animating spirit of the conspiracy. The real or supposed influence of the English Government in the excesses of the French Revolution was the first proof or the first presumption furnished in favour of this second fundamental assertion. The English Cabinet was accused of having arranged the attempt of the 3rd

Nivôse, of having sent Picot and Le Bourgeois to France. The proofs of its influence in this fresh conspiracy were: regular payments made to the conspirators in England, the furnishing them with arms and poniards, gunpowder and gold, and their transport to France in vessels under the orders of the Government. Again, there were the instructions given to Méhée, the assent accorded to his plans —in a word, the whole of the singular scheme that I have already narrated. Of this the Public Accuser gave a detailed account, and quoted the greater part of Mr. Drake's correspondence, from the moment at which the strange mystification was attempted, until it was rudely dispelled.

"What candid-minded person," he asked, "can possibly raise a doubt, in the presence of documents so plain and implicit, that the British Cabinet is the soul of the conspiracy?". . . "It has not distributed poniards to assassinate the First Consul," he continued, "only because it feels strongly the irresistible power of his glory and his virtues, even among foreign nations."

Having reached this point in his discourse, the Public Accuser had only to relate the facts concerning each of the accused individually. This was the most important, and in a sense the most judicial, portion of the act of accusation; it demanded the greatest circumspection and adroitness, because it was so necessary not to put forward too strongly such details as might easily be shown to be untrue in the progress of the pleadings, and not to place the accused who had turned informers in too antagonistic an attitude towards the accused who were

predestined victims; nevertheless, this portion of the accusation was perhaps the most remarkable for lying, equally impudent and clumsy.

It divided the conspirators into three classes:—

1. Conspirators properly so called.
2. Their auxiliaries and accomplices.
3. Those who had neglected to make the declaration prescribed by the law of the 9th Ventôse to all persons who might have given lodging to any of the conspirators.[3]

In dealing with each of the accused comprised in either one or other of these three classes, especially the first, the Public Accuser heaped together, without selection or order, all the facts that he had been able to collect, whether they related to the conspiracy or not. By the tone of each clause in the indictment, it was possible, and even easy, to discern who were the accused that had made avowals, who had respectively obtained a promise of pardon as the price of their surrender, or resisted both and the tortures inflicted by the police as well.

When the facts to be stated concerned the latter, they were seasoned with abusive declamation and gross insults.

When the turn of those who had confessed came, although the expressions of the act of accusation were severe and menacing, some little phrase would be allowed to escape, as if by accident, which indicated the kind of excuse that the accused might

[3] [Marg. note.] "It must be pointed out that this law was absurd, because none of the confederates were either named or designated by it. It should have come after the 'List' of the 16th."

claim, and the motives for indulgence that spoke in his favour. There was hardly an exception made for Lajolais. Prudence forbade it; the closer his relations with the police had been, the more severe and crushing the language addressed to him by justice was bound to be.

The clause relating to Moreau was the most laboured of all, and almost as violent as that which dealt with Georges Cadoudal. As for Pichegru, he was only mentioned, so to speak, incidentally, in this list of criminals. He was described as an infamous man, "who, as if crime sometimes administered justice to itself, beholding only the picture of his treason and the overwhelming proofs of his misdeeds," had killed himself in the Temple. This sentence, which was neither the most violent nor the most absurd in the long judicial diatribe, may give an idea of the moderation, the calm, the style of eloquence, and the veracity of its author.

The reading of the indictment lasted nearly five hours, and occupied almost the whole of the first sitting. On the following day the court was seated and the hearing began at nine o'clock a.m. The proceedings opened with a formal protest against the competency of the tribunal, or their acceptance of it, on the part of the accused, and to this act of the drama a particular circumstance lent special interest.

The "instruction" of the case had been carried out entirely under the denomination of "Special Criminal Tribunal." The act of accusation had been drawn up by the Government officer who belonged to that form of tribunal. This document had been signed on the

25th Floréal, and three days afterwards a Senatus-consultum had appeared, by which not only the form of Government was changed, but also that of the tribunals, and cognizance of offences against the safety of the Government was vested in a High National Court composed of functionaries selected from the chief dignities of the State.

Gauthier, who acted as counsel for Coster Saint-Victor, was the first to demand the right of plea of exception (*déclinatoire*), and he made a long speech in support of its justice. He endeavoured to bring forward the principle that any matter which has to be decided by a tribunal always belongs to a tribunal actually established by law. He dwelt upon the contradiction that would exist if the tribunal were to admit some of the dispositions made by the Senatus-consultum of the 28th, by taking the title allotted to it by that Senatus-consultum, and to reject the others; and also upon the fact—which though not legally proved by the defence, was not denied by the Imperial Procurator—that the act of accusation had not been signified to the accused until after the promulgation of the decree of the 28th Floréal.

Georges Cadoudal, Charles de Rivière, Joyant, and nineteen others, among whom, to the general surprise, was Lajolais, also demanded, through their counsel, to be brought before the high imperial court, for the reasons aforesaid.

Moreau and the other accused persons stated that they preferred to refer the question of competence to the judgment of the tribunal.

The demand for a plea of exception was founded upon reasons which appeared just to most people, and

which were by no means easy for the judges to refute. But it was evident that it was perfectly useless to put forward any such pleas. The tribunal might be reduced to proving its own competency by sheer sophistry, but it was not free to repudiate that quality when the supreme influence that directed had chosen it. Thus the accused persons who put forward the declinatory plea, did so only in order to assert their rights, and leave no resource untried; but not in the hope of getting their demand heard, and being handed over to other judges. The tribunal declared its own competence by a judgment whose terms were more than equivocal, but which produced very little sensation, because it was quite evident that there could be no chance of a change favourable to the accused, since any judges before whom they might be sent would inevitably be selected by the ruling authority.

This preliminary disposed of, the trial began. Georges was put forward first, a preference easily accounted for. Thirty-six witnesses had been ordered by the President to attend. The first twelve who were heard deposed to all the circumstances of his arrest, to the murder of one of the police agents who arrested him, and the wounding of the other. At the conclusion of the examination of each witness, the President, turning to Georges, questioned him in his turn, invariably beginning with the circumstances of his arrest, and ending with the gist of the conspiracy. To all these questions Georges replied with the calmness, composure, and presence of mind of an absolutely indifferent person, steadily denying in the most decided and positive tone everything that could com-

promise any one whomsoever, and repeating what he had already acknowledged, viz. that he had come to France to see whether there was any means of restoring the monarchy in favour of the Bourbons; that he had not yet collected those means, or laid down any plan; that he had not been ready to act, and did not even know whether circumstances would have required or permitted him to do so. Each time that the President angrily reiterated his questions in the tone of one who hopes to conquer obstinate silence by rude importunity—and this he did frequently—Georges simply repeated his denials with the same patient and unruffled calmness.[4]

A great deal was said about his complicity in the plot of the 3rd Nivôse. The only proof that was offered was a note couched in vague and mysterious terms, but which might possibly be interpreted as an order or an intimation relative to that occasion. He denied having written this note, offered to prove by witnesses who were in the hands of the police that at the date which it bore he was at the distance of 130 leagues from Paris, that the note must have reached Saint-Réjant[5] in four days, although it was said to have

[4] [Marg. note.] "He renewed his profession of loyalty and fidelity to royalism."

[5] Pierre Robinaut Saint-Réjant (or Saint-Régent), who concealed himself under the various names of Pierrot, Soyer, Sollier, Pierre Martin, was executed, with his accomplice Carbon, on the 1st Floréal, year IX., as the author of the attempt of the 3rd Nivôse. Now, the following is the text of the note found at his abode: "My dear Soyer, I have news of you from two friends. As for you, you have not yet learned to write. Alas! the fifteen days are passed; events announce themselves in a frightful manner; if these events continue, I know not what will become of us all. In you alone is all our confidence and all our hope. Your friends beg your remembrance of them, and recommend

been addressed by a man hiding in a village in Brittany to a man hiding in the capital. He accused the police of having fabricated this note, and the only result of the President's importunate insistance on the point was that the very common belief that Georges really was the instigator and head of the affair of Nivôse was considerably shaken. The objection was raised that he had acknowledged to the police having sent Saint-Réjant to Paris, if not to carry out the plot of the 3rd Nivôse, at least to attack the First Consul; but this proved to be a greater indiscretion than the previous one. It gave Georges an opportunity of making known that he had been tortured, that the police had endeavoured to terrify him, that he had been made to sign declarations which he had not previously read, and that no questions had been put to him before the "instructing" judges of a nature to enable him to correct the wording of that first declaration.[6] He denied that he had sent Léridan to Brittany

their fate to you. Adieu. Your sincere friend, Gédéon. 29th December, 1800."

M. Thiers states that under Saint-Réjant's bed there was found "a letter to Georges, in which he related (with some disguise) the principal circumstances of the crime, and justified himself to his chief for his non-success." This letter was enclosed in an envelope, and addressed "Au Citoyen Antoine, Chef d'un Bureau de Finance, à Paris," and began with the sentence, "My dear friend, I declare to you that I have decided not to quit this country." It was submitted to two experts, Oudart and Legros, who pronounced it to have been written neither by Limoëlan, nor Saint-Réjant. This Limoëlan, who was called *Beaumont* and *Pour le Roi*, was said to be one of the accomplices in the attempt of the 3rd Nivôse. He managed to escape from Paris, and, according to a report made by General Moncey, he appears to have shot himself at Lageneux (Ain), on the 24th Nivôse, year XII. See the *Journal de Paris* of 25th Germinal, year XII., p. 1250.

[6] Louis Bonaparte had the curiosity to go and see Georges at

with 300 louis for Saint-Hilaire. The examination of Georges and the witnesses lasted three hours, and the proceedings were resumed after a short interval by the President's interrogation of Bouvet Lozier concerning the persons who had inhabited the house let by him at Chaillot. At this point a difficulty arose, which had not been sufficiently foreseen and provided against by those who had got up the trial and settled the plan of it, and which caused in the end a partial failure of their project. Several of the confederates who had told the police all they knew, and sometimes more than they knew, and who had adhered to their statements in the silence, solitude, snares, and threats amid which the proceedings had been "instructed" at the Temple, had by no means so much assurance and audacity when they found themselves in the presence of the public, their victims, and their judges. Bouvet hesitated about naming Georges, Pichegru, Polignac (Armand), and other accomplices as having lived in the house at Chaillot. The same admissions which had been wrung from him in the first instance by dreadful tortures, had from the beginning of his examination to be extracted by severe moral pressure. It was much worse when Madame de Saint-Léger, with whom he had been on terms of intimate friendship and confidence, was called as a witness on his behalf.

Madame de Saint-Léger had hired the house for him, and knowing well for whom it was really intended, she nevertheless courageously persisted

the Temple. He went accompanied by a brilliant staff, and found the prisoner, as Bourrienne tells us, "lying on his bed, his hands pressed on his chest, and closely linked by handcuffs."

in denying that it had been hired for any other person or persons except Bouvet, or that it had been inhabited by any others, to her knowledge. When the President, desirous to obtain by any means from Madame de Saint-Léger the confession that she knew who the persons were that had lived in the house at Chaillot, met her denials with appeals to declarations which she had been forced, by threats and violence, to sign, but had not made, and asked her whether it was not the presence of Bouvet Lozier that prevented her from speaking and acknowledging the truth, she replied, "I do not know whether Bouvet Lozier is here; I no longer recognize him."[7] This answer was at once the accusation, the judgment, and the condemnation of Lozier at the bar of public opinion. It made a deep impression upon the spectators; and perhaps that voice of a woman, who, threatened and tortured almost as mercilessly as he had been, had nevertheless steadily refused to make the avowals that were required from her, awakened some shame and remorse in Bouvet's breast. As a matter of fact, when the President asked him whether he still persisted in his strange declaration of the 24th Pluviôse, he modified it in a manner which completely annulled it. He declared that when he had made his first declaration, he believed Moreau to have given his adhesion to the plan of conspiracy on behalf of the princes, but that since then he had found, on reading the documents of the trial, that supposition was proved to be false.

[7] The shorthand report makes her say, "I do not know whether he is here, I do not see him." The sense is the same, for a moment before, the President, while questioning Madame de Saint-Léger, had bidden Bouvet Lozier be silent.

His declaration of the 24th was again read to him, and to each assertion he replied that it was from Georges he had learned the fact stated. Every such statement Georges met with a positive denial, uttered in a tone of such calmness and politeness as were truly remarkable towards a man who had acted the part of which Bouvet stood convicted.

In the course of his reading of the declaration, the President came to one of the most important passages :—

"A general who has served under Moreau, Lajolais, I believe, is sent by him to the princes in London. Lajolais agrees in Moreau's name, and on his behalf, to the principal parts of the proposed plan." Here the President paused, to ask Bouvet who it was that had spoken to him of Lajolais. "Georges," replied Bouvet immediately, just as he had replied to all the preceding questions concerning this same declaration, and Lajolais was then summoned to answer upon the point. The President could not presume that there would be any objection to his addressing such a question to a man in the position of Lajolais. He was mistaken. The shame that had seized upon Bouvet, and was as perceptible in his mien as in his answers, had, so to speak, become contagious, and had even touched Lajolais, for he replied to the President that he had never had any commission on behalf of Moreau, nor communication of any kind of plan.

When they came to that part of the declaration at which the rendezvous on the Boulevard de la Madeleine between Pichegru and Georges on the one part, and Moreau on the other, was set forth in such a

way as to allow it to be believed that the proposed meeting had really taken place, Bouvet rectified all that was false or equivocating in the statement, and said that he had not seen Moreau on the boulevard.

Thus did the nets, which the police thought they had made so strong and so secure, break with the very first strain upon them; thus were the cruelty and perfidy of the police towards the accused, and the secret object of this scandalous procedure, unmasked in a totally unforeseen manner.

The foregoing were the chief incidents of the first part of the trial. Other witnesses were then heard, and other prisoners examined; namely, Rusillion, Rochelle, Armand Polignac, and his brother Jules.

Rusillion persisted in his plan of absolute submission to the police, and made no attempt to escape from the infamy of his first declaration by any statement. His examination lasted only a few minutes. It was perfectly plain that he had been promised his own life on condition of the good-will with which he should help to furnish means for depriving other persons of theirs.

Rochelle was questioned at greater length, and the confirmation of his former statements had to be got at through half-retractations, and by dint of much pressing; but nothing remarkable was elicited; the part he had to play was only a relatively useful one.

The examination of Armand Polignac was more interesting, because his declarations were more grave in themselves, and also because his rank among the

partisans of the French princes gave him a higher degree of importance. He retracted the statement in his first examination that he had come over from England to France with seven persons, of whom two, Coster Saint-Victor and Deville, were now accused; he confirmed his former statement that he had come to France with the vague purpose of verifying what means there might exist of restoring the monarchy. He explained that the very serious interview which he knew to have taken place at Chaillot between Moreau, Pichegru, and Georges, was only hearsay, and that he could not vouch for the fact. He explained in the same way all his statements concerning the relations between Moreau and Pichegru. What he could not put down as having come to him through public rumour, he declared he had had from Pichegru.

Thus the death of that unfortunate general was not only useful to the judges and the police, but it also furnished a refuge and a resource to those among the accused who, not daring to retract the avowals they had made to the police, or to confirm them in the face of accomplices who might justly reproach them with base treachery, conveniently cast accusations upon a man who had nothing more to fear either from the police or from human justice. This was a kind of expedient to which several of the accused had resorted in the course of the famous trial, in so far as the small number of accomplices who were executed before the judgment was delivered, permitted. There were only two.[8]

The impression left upon the minds of the

[8] Picot and Le Bourgeois.

spectators by this sitting, and the only one which spread itself abroad, was, while not as yet very deep or decided, distinctly adverse to the views and hopes of the Government. From that stage of the proceedings, public opinion was sensibly altered with regard to Georges Cadoudal. The nation shrank with pain and repugnance from regarding as a brigand this man, who from the hour of his arrest had adopted a consistent course, which he followed to the last moment of his life; who had acknowledged, with the utmost sincerity, just so much of his own conduct as it was necessary to avow in order to authorize those into whose hands he had fallen to put him to death with judicial honours; who had guarded with constant and scrupulous care against compromising any persons by his answers, even those whom he might have named without adding anything to their peril; who made all honest men feel, by his very reserve, which he well knew would not be taken into account on his behalf, what treachery and base deceit the consular Government had employed against him. People began to feel a reasonable surprise that men who had made avowals at the cost of infamy should retract them at the risk of life. It was easy to draw the conclusion that confessions which were retracted at the latter price could only have been extracted by subornation and torture. The public mind was finally made up on this point by the facts which came out on the trial in reference to the cruelties that had been practised upon both accused and witnesses by the police, and the impudent falsification of the declarations of both. In short, the police and the Government had

no reason to be satisfied with this first result of their manœuvres; nor were they at all satisfied. From that moment, nothing but the trial was talked of in Paris. It formed the subject of conversation in every place, among all classes; and it was discussed, not only with eager curiosity, but with a seriousness which had long been a lost habit. The period of this trial is perhaps the only period since the 18th Brûmaire to which no recollection of the puns, jests, and coarse sayings that are the sole vengeance of a cowardly and servile multitude against tyrannical power, is attached.

The proceedings of the following day, the 10th Prairial, promised to be more interesting than those of the preceding.

On this occasion the first to be examined was Charles d'Hozier, one of the conspirators who lived at Paris, and had been, according to all appearances, specially entrusted with the care of procuring lodging for those who came directly from England. It will be remembered that Charles d'Hozier had acknowledged not only to the police, but also before the instructing judge, all the services that he had rendered to several of the conspirators, always, however, observing the precaution (necessary for his defence) of declaring that he knew nothing of their intentions and plans. In the course of his examination by the President, nothing was more clearly demonstrated than the untruth of several charges made against him in the act of accusation, his protests against the dishonesty with which the police had drawn up their report of his answers, and his desire to withdraw certain admissions damaging to

those individuals whom he now declared he had named without knowing them. Charles d'Hozier was also the first who stated openly before the spectators that torture had been inflicted upon the accused.[1]

This was singular conduct on the part of a man who had hidden from the police nothing that it was in his power to impart to them, and was even suspected of having had an understanding with them prior to his arrest.

Among the many incidents of the trial which give an idea of the way in which the President questioned the accused, and of how little pains he took to disguise the foregone resolution to find them guilty, there is one concerning Charles d'Hozier which I consider worth noticing, especially as I think it almost escaped observation at the time.

One of the points in the special accusation against D'Hozier was that not only had he procured lodging for several of the conspirators, but he had set up an establishment of public vehicles, *no doubt* with the primary purpose, said the indictment, of facilitating transport and communications for the enemies of France!

It was abundantly proved in the course of the trial that the establishment in question, which had been opened two years before the date of the alleged conspiracy, was neither more nor less than a private

[1] "I observe," said D'Hozier, "that Picot again alleged in prison that he had told many things which he did not know, because he had been tortured at the Prefecture of Police." See "Procès," vol. iv. pp. 238, 239

enterprise, undertaken with the same motives and conducted in the same way as every other business of a similar kind. The President, unwilling to admit that he was beaten by the evidence which established this fact all the more strongly that the witnesses were witnesses for the prosecution, and called by himself, turned to D'Hozier and said: "You might have a double object in setting up your establishment of vehicles, and availing yourself of it until the arrival of those who were to come from England." "In that case, I evinced a great deal of foresight," replied D'Hozier, with as little irony as it was possible to employ in answer to such a remark.[1]

The proceedings with regard to Charles de Rivière[2] occupied less time, but were still more remarkable.

There was great curiosity to see how this man would sustain his *rôle* of intelligent, intrepid, polished, highly-bred royalist, and favourite of the Count d'Artois, in the presence of the judges and the public. He persisted in refusing to make any kind of declaration or answer that could compromise anybody whomsoever among the accused, and in repeating what he had stated at his first examination—that he had come to France to ascertain whether the public mind was favourable to the princes, and in that case to induce them to profit by the opportunity. But, either because he was emboldened by the public sentiment in favour of the accused, which became more and more marked, or because he thought and desired only to defend himself—or, again, because he was inspired by a desire to tell the truth, he was the first among the accused who impressed their hearers with

[1] See "Procès," vol. iv. p. 253. [2] See Ibid. p. 259.

the strangeness of the destiny that had brought these men before a tribunal, for an attempt to re-establish monarchy, at the very moment when that monarchy had just been re-established, and had brought them there by the hand of the man in whose person it was re-established. They were accused of having conspired against a Republic, and it was in the name of an absolute Emperor that they were threatened with the scaffold. Charles de Rivière especially sought to make it understood that the agents of the Bourbons could not have determined (and, in fact, had not determined) to come over to France to ascertain what it would be possible to do there for those same Bourbons, had it not been for the plain indications, recognized by the whole of Europe, that the Consular Government was about to be transformed into a monarchy.

This method of defence produced so much the more effect upon the attentive spectators, that it was very dangerous for the accused. From the examination of a man who defined himself with nobility and dignity, and by remarks full of a lofty policy, the President passed on to that of a very different person, a man whose obscurity might have saved him from the death to which his method of answering doomed him, if he had boldly repeated before the judges the avowals which had been wrung from his terror by the police.

This man was Louis Ducorps. It will be remembered that he was a person of very little education, who had been a gardener before he became a soldier in the rebel ranks of La Vendée. It will also be remembered that the principal charge against him was

that he had acted as guide to some of the chief conspirators, from Aumale to Paris, and again from Aumale towards the sea-coast. His confession, without being of the highest importance, had nevertheless appeared precious to the police, who seemed to have obtained it only by dint of threats and torture, and after great resistance on his part. I cannot say what were the feelings of this man when he found himself constrained to confirm before his accomplices the declarations which he had made to his tormentors, for I might be mistaken in my interpretation of them; but it was plainly to be seen that he was full of a concentrated indignation, which now burst out in his rough and insolent answers to the President, and again expressed itself in a silence more insolent still. "I stated many things that I did not know," he said to the President on one occasion, when he was reminded of an admission made in his first declaration. "If I said that, it was because I was made to say it," he exclaimed on another occasion, when the gravest of his preceding assertions was in question—that, indeed, from which it appeared that he had heard the conspirators who had gone to Aumale talking of their project for overturning the French Government. In short, his examination was a succession of absolute or attempted retractations, so that the President was provoked into exclaiming incautiously, "You were much more frank before the instructing judge!" He might have added, before the police.

This scene was the prelude to another, which left a much more painful and profound impression upon the minds of all, and was retarded for only a few minutes by the examination of Léridan and Lemercier re-

spectively. Lemercier's examination was without interest, and it had no influence upon the result. Suffice it to say of Léridan (the young man whom we have seen playing the part of subordinate confidant to Georges, and rendering him several services which implied trust, without, however, implying that Georges made him acquainted with his designs) that his plan of defence was, not to deny the services he had rendered to Georges and to Joyant, but to explain them, on grounds which would prevent the latter from appearing to be conspirators. His remorse went no farther than this.

At last it came to Louis Picot's turn to be examined by the President. The terrible incident by which this stage of the trial was marked, and which was destined to leave its impression upon the whole of it, was totally unexpected.

The police had been very unskilful in their manner of suggesting the answers to be made by Picot to the questions put to him by them, and also in the drawing up of their report. Picot had been forced to tell things about Georges that were true, but of which he could not have been personally informed, because they were connected with a period at which he had no sort of relations with Georges. Picot was only a rough, plain man, and devoted by a sort of instinct to the cause of the rebels of the West. It is probable that he had some vague knowledge of the project which had drawn Cadoudal to Paris, but it was out of all likelihood that he was in his confidence with regard to its details, incidents, and plan. Now, he had been made to talk to the police as one who had heard the conspirators conferring

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"You will not make any statement?" The accused kept silence for a moment, and the tumult of his feelings was depicted on his face. The President then read to him that part of his declaration in which he named the conspirators who had landed at different times in Brittany or Normandy, and in which he spoke of a landing by a further party, of which the Duke de Berry was to be one. "I know nothing of all that," said Picot. "You knew it when you stated it," thundered the President.

Thereupon Picot, with the passionate gesture and accent of a man driven beyond all self-restraint, declared that he had been offered 1500 louis at the Prefecture of Police if he would give his master's address; that he had protested he did not know it; that he had then been garotted and his fingers crushed in a gunlock; and torture by fire had afterwards been inflicted on him. He invoked the testimony of the officers of the Guard at the Prefecture, who had assisted the police agent in his functions as tormentor, and he stretched out his hands towards the judges and the public, crying in a terrible voice, "Look at the marks!" There were, on his hands, only too surely, the marks of the torture he had undergone three months before.

At these accents and gestures a universal shudder of horror ran through the spectators. There were some who shuddered only because a corner of the veil that had hitherto hidden the violence of the police and the crimes against which humanity had cried for fifty years, and which had been forbidden by the law for fifteen, had been lifted. These were certain of the judges, and also of those base creatures whom

the police had posted in the court to report upon the movements of the spectators and the court.

All that the President could do to palliate the terrible effect of this furious outburst, he did. He said, speaking with as much assurance and composure as he could command: "A man who proposes to assassinate the Chief of the State may well speak in that fashion." He had the boldness,[4] still, to prolong his

[4] The report sent to the newspapers made no mention, as may be supposed, of this dramatic incident, which occurred on the 10th Prairial, the third day of the trial. It is, however, related in the "Procès recueillé par les Sténographes," as follows (see vol. iv. p. 335):—

"PICOT.—When I was arrested at the Prefecture of Police, they began by offering me 1500 louis and my liberty. They counted out the money on the table for me to go away, anywhere I pleased, and tell them the address of Georges, my master. I said that I did not know it. Citizen Bertrand sent the officer of the Guard to bring a gunlock and a turnscrew to crush my fingers. He had me tied, and he squeezed my fingers as hard as he could.

"THE PRESIDENT.—This is a new system that you are adopting. You are putting your master's lesson in the place of the truth.

"PICOT.—It is the truth; the officers of the Guard can tell you so.

"THE PRESIDENT.—Not only did you make the declaration of which I speak to you at the Prefecture of Police, but you made the same before Réal, the Councillor of State; you persisted before the Judge of Instruction.

"PICOT.—I was afraid, after what I had suffered, that they would begin again. I had been scorched at the fire, and my fingers had been crushed."

This was not the first time that the consular police (I do not venture to say consular justice) revived, in a criminal "instruction," the "preparatory question" abolished in 1780. At the trial for the attempt of the 3rd Nivôse, Saint-Réjant's counsel said, alluding to a letter which the accused had been made to write in prison, "I will not speak of the tortures which have been inflicted on each, because he has not spoken of them himself; but that letter was extorted from him by culpable treachery." *Journal des Débats*, 15th Germinal, year IX., p. 2. See also the letter of Saint-Réjant to his sisters, in which he speaks of the torture that had been inflicted upon him.

examination of Picot, who, having nothing to gain or lose after what he had said, continued to reply to the questions that were put to him with the utmost disrespect. Over and over again he accused Thuriot of having falsified several of his statements during the instruction, and of having deceived him by promising to correct several inaccuracies which he had noted and complained of in his various examinations. These accusations, which might not have been entirely false, nor yet more than half true, had the kind of authority for the spectators that attaches to the words of a man who is condemned to death. Their imagination was strongly excited by the scene that had just taken place.

The court adjourned for an hour after the examination of Picot. This was no long interval of rest for the judges, who were resolved to obey the Government, after the assault they had sustained; it was sufficient to enable the spectators to give vent to their feelings in murmurs and eager talk.

The witnesses called to depose against Couchery appeared, and the long declaration that the police had suggested to him was, in its turn, put to the test of a man's shame and remorse. No sooner had Couchery begun to speak than it was evident he intended to repair, so far as he could without endangering himself, the injury that his statements and the positive inaccuracies or ambiguous assertions which had rendered him highly valuable to the police, must have inflicted upon several of the accused.

The President, who was again alarmed by the boldness with which the prisoners were retracting their statements, at the peril of their lives, endeavoured

to stop Couchery by giving him to understand how much to his interest it would be to adhere to his previous statements.

When he came to the capital point of his declaration, where he confessed to having seen Lajolais at Paris in the course of the summer of year XI., at which time Lajolais informed him that he had come on behalf of Pichegru to ascertain whether Moreau continued to be of the same "disposition" as when David saw him, the President, as if to forestall any denial or explanation of this assertion, was so impudent, or so indiscreet, as to say to Couchery, "This is indeed the truth; you will not say the contrary." Couchery, who was taken aback by this timely warning, would probably have confirmed the statement thus recalled to him, had not a strange and unexpected incident occurred. He was forced by Lajolais to explain the statement, and so to rectify it that it ceased to be grave and mysterious, and became quite simple and insignificant. He called upon Couchery to declare that the "disposition" of Moreau with regard to Pichegru, of which he desired to be assured, was only his friendly "disposition." In vain did the President try to parry this blow, by reminding Lajolais that when he was confronted with Couchery he had not made any observation. Lajolais contented himself with observing, pertinently, that his explanation, although tardy, was none the less legitimate. Nor did he stop there; he declared that he had not come from London to Paris to communicate with Moreau on Pichegru's behalf; thus, the *rôle* of ambassador, travelling between London and Paris, which

gave a suspicious look to the mutual relations of the two generals, was suddenly reduced to its actual unimportance. The conduct of Lajolais in denying in public the falsehoods which he had authorized the police to put down to his account, was truly inconceivable. He proclaimed his own infamy, and he unmasked the perfidy and the secret manœuvres of the police, without any sort or semblance of advantage to himself.

The President, overwhelmed by all these occurrences, which he had been unable to foresee, and knew not how to remedy, and anxiously desirous to prop up the edifice of the police, which was fast falling to pieces on all sides, resorted to the most daring effrontery, for want of skill. Each statement retracted by Lajolais revealed an intentional falsehood recorded by the police, and added a fresh proof of the justification of Moreau; this the President had to stop, and he could devise no better means of doing so than reminding Lajolais that Moreau had denounced him, and had made him undergo eight months' imprisonment, to the ruin of his prospects and fortune. In a case in which such an impropriety and outrage upon justice had been the only one, this manner of calling a man's resentment to the aid of his baseness, when the latter had unexpectedly revoked its utterances, would have sufficed to stigmatize the judge who resorted to it—in the case in question it was hardly remarked.

Thus, from examination to examination, and from accused to accused, did the President approach Moreau and prepare to attack him. The plan of the

trial had been to place him, as it were, in the centre of the conspirators,[5] and to come down upon him with all the proofs, all the declarations, all the avowals of the accused who had spoken before him. This plan seemed to be cleverly devised; we have seen how badly it worked. I shall now try to follow it to the point at which the facts, as we have seen them occur, will be completely confirmed by the result of those measures that had been taken to conceal the truth for ever.

Rolland's turn was now come; this was the signal that the victor of Hohenlinden was about to speak, and every heart beat with anxiety, curiosity, and interest.

Since the first day of the trial all eyes had been fixed on Moreau, and the calm serenity of his aspect had not been for a moment disturbed. The great majority of the spectators had bestowed upon him every mark of honour and interest which their respective positions allowed. Some of his friends, generals who had seen him on the field of battle, were among the crowd, and they had the courage to salute him with gestures of admiration and sympathy. Even the very men who were alleged to be his accomplices, and betrayed by him, the men to whose party his fame had been so fatal, all testified by their looks, by their quick attention to every incident that concerned him, a touching interest in his fate (on the part of some of them this was a sublime sentiment), which not the certainty of their own ruin could deaden or destroy.

[5] This was exactly what was done by the Government in the prints that were sold in the streets. The portrait of Moreau figured in the middle of the picture, surrounded by portraits of the principal persons among the alleged conspirators.



Rolland was examined. He repeated, without variation, modification, or equivocation, all the most grave and important portions of the declaration that he had made before Réal. He repeated these in identical terms, and conducted himself in all things like a man entirely untouched by the contagious remorse that had seized upon the others, and who, having made up his mind to commit an infamous action, had no notion of risking the loss of its fruits. "Have you anything to say in answer to this declaration of Rolland's?" said the President to Moreau. "Yes," replied the latter, in a tone which implied the most profound contempt for Rolland, "I have to say that Rolland could hardly have induced me to do what I had refused to Pichegru."

Then the President began to question Moreau upon his last interview with Pichegru, and upon that which he had with Rolland, which was the consequence, and, so to speak, the complement of the former. For his justification Moreau repeated the explanation which he had already given in his former examination and in his letter to Bonaparte, with certain details and amplifications that did not change their substance, and with firmness that lent them additional weight in the opinion of the spectators.

A few minutes after, Lajolais reappeared upon the scene, and put the climax to the embarrassment of the judges and the singularity of his own behaviour, both by the amplifications and the retractations we have already seen him make, or evince a disposition to make.

"You have stated," began the President, "that you knew from the Abbé David of the reconciliation of Pichegru and Moreau." "I did not know of it from

the Abbé David," replied Lajolais. "Who told you of it, then?" "Fifty people in Paris." This was a retractation which, without being very serious in reality, was inconvenient for the President, because it was unforeseen. Still Lajolais did not deserve the indignation of the judges who were so devoted to the Government simply for this, for he was merely correcting a slip made in his first examination before the police, or rather, a slip of the police themselves. David was there, and he could have stated, in the presence of the spectators and the judges, that at the time when Lajolais claimed to have heard from him of the reconciliation between Moreau and Pichegru, he (David) was shut up in the Temple.

When the President came to the remarkable passage in the declaration of Lajolais, in which he said that Moreau had expressed to him his desire to have an interview with Pichegru, and that he had undertaken to bring it about, Lajolais denied that Moreau had told him that he wished to have an interview with Pichegru. He substituted the statement that Moreau had only said it would give him pleasure to see General Pichegru, and to know that he was out of England. "Bear in mind," said the President, "that this declaration is entirely your own, and that you were not called upon to make it." Lajolais replied, "I did not write it." He meant to say that it had been dictated to him; for, as a matter of fact, it was written by his hand.

The retractation made by Lajolais in this instance was so serious, and bore so strongly upon the root of the matter, that the President was bound to do all in his power to elude or ignore it; while Moreau was

equally entitled to establish its truth, and have it recorded in his favour.

The President then warned Lajolais, as plainly as he could before the public, of the gravity and peril of such a statement. "I am about to repeat to you what you said: it was quite certainly you who said it; pay attention to what you said," he repeated several times, as if to give Lajolais time to revert to his first imposture.

Thus beset by the importunity of the President, and embarrassed by his self-contradiction Lajolais pretended that, being an Alsatian, and speaking French badly, he had not realized the full force of the expressions he had used, and that they were not to be taken literally. "You know the French language very well," answered the President, and being resolved, no doubt, to put a stop to subsequent interpretations, he began again to read the declarations. Lajolais, however, appeared to be determined to deprive the police of all the advantages they had obtained from him, and to betray them to his fellow-prisoners, after he had betrayed the latter to the police. "I am going to state the meaning of what I said," he asserted emphatically. The President wanted to interrupt him, and again prevent him from speaking; but the interference of one of the counsels for the defence, although received by the President with ill-humour and rudeness that clearly revealed his vexation,[6] enabled Lajolais to explain definitely that he had improperly used the word

[6] This counsel for the defence was Bellart, one of Moreau's. Under the Restoration he became Procurator-General, and conducted the trial of Marshal Ney. He died in 1826.

"interview" to designate the wish which Moreau had expressed to see General Pichegru again.

The interview of Moreau with Pichegru and Georges on the Boulevard de la Madeleine which had been chiefly brought about by Lajolais, and first revealed to the police by him, and which had come to nought in the very presence of the parties concerned, through an incident already related, was also denied, to the great scandal of the judges and the profound astonishment of the spectators, who, for want of knowing what had passed, could not make out what was true in the first declaration of Lajolais, or reconcile it with what was equally true in his retractation. All this portion of the proceedings must necessarily have seemed mysterious—the evidence and the deposition being at the same time quite true and quite opposite, because the brief incidents that would have reconciled them were not admitted by any of those who were aware of them, and could not be guessed by those who were not.

It was not only his depositions against Moreau that Lajolais modified in a way which simply did away with them, and unmasked the atrocious scheme of which they had formed a part; he reverted also to such confessions as were dangerous only to Georges and his party, thus seeking to repair partly, at the peril of his life, the harm he had done them at the expense of his honour.

During the rest of that hearing Moreau had no longer to answer questions upon the fact of the actual conspiracy; it was his political conduct in year V., at the time of Pichegru's treason, that was now



brought up. The President's questions placed him in fact in the following dilemma: "Pichegru either was a traitor in year V., or he has been falsely accused of treachery. If you believed him innocent, why did you then accuse him? If you believed him really guilty, why were you reconciled with him?"

This was the argument that the Government had caused to be used against Moreau from the time of the general's arrest in all the pamphlets they had ordered and paid for; this was the argument incessantly repeated by the partisans and creatures of Moreau's oppressor. It was not extraordinary that it should be advanced by the President of the tribunal.

It is easy to realize how bitter it must have been to Moreau, and how strange he must have felt it, to hear himself reproached with wrong-doing, which, supposing it to have been as real as some of his enemies appeared to believe it, the Directory only—that is to say the Government that he had helped to overturn—had any right to resent. His first impulse on finding himself called upon to justify his conduct at that period was to express his indignation at the pains that had been taken to rake the dust of the Directory in order to find charges against him, and to exclaim that since the period in question he had won thirty battles for the Republic and saved two of its armies! This was the natural and legitimate impulse of a man who knew well that his greatest crime was that he had served his country without personal ambition, and was reputed to be well able to serve it again. All the spectators who were capable of sympathy were moved to admiration, and deeply

affected by this exclamation of Moreau's. His justification of the contrast of his conduct towards Pichegru in year V. and in year XII. impressed all present. He said that he might have been mistaken, and even probably had been mistaken, when in year V. he accused Pichegru of treason, since his accomplices, who were tried on the same charge by a court martial, had been acquitted. "If he be placed among the number of the 'proscribed of Fructidor,' why, since they have all returned to their country, and several of them are in favour with the present Government, should Pichegru be excluded from the same justice or the same indulgence? If he is to be considered as having borne arms against France, he is not more guilty than all the chiefs of Condé's army, whom I found everywhere about Paris, on my return, just after I had been fighting them."

Moreau knew well, indeed better than anybody, that Pichegru really had betrayed the cause of the Republic in year V.; but there was magnanimity in appearing to cast a doubt upon his crime in the presence of that same tribunal which had declared that Pichegru had died by his own hand; for this method of treating the matter was not necessary to Moreau's defence. As for his famous answer to Rolland: "that it would be necessary for the Consuls and the Governor of Paris to disappear," on which the President insisted so pertinaciously, he was content with merely denying it, in the sense that was imputed to it, on the grounds of its absurdity. "The question is not whether it is absurd, but whether you said it," observed the President. "As in the ten years that I commanded armies," replied

Moreau proudly, "I have never done anything absurd, it will be believed that I have not done this."

His noble manner of checking the question that was so urgently put to him was at the same time a sort of appeal to the confidence and the love of that section of the public which in some degree represented the nation at this strange spectacle. A loud murmur arose; this was the expression of their admiration by those who felt how prudent they ought to be in the manifestation of interest in Moreau. Some who were more imprudent or more courageous indulged in applause, but they were promptly silenced by the order of the judge, and by cries of "Silence!" by the ushers.

At length the letter which Moreau had written on the 17th Ventôse to Bonaparte, then First Consul, was brought forward, and the President endeavoured to lead the general into a discussion of the half-admissions contained in that letter, imprudently written in a moment of weakness. "I do not imagine," answered Moreau, "that a document which is justificatory can be produced against me as a charge. The First Consul is too magnanimous to have given up my letter to the tribunal, if he had seen anything in it capable of procuring my condemnation."

Everybody felt the force and the neatness of this sarcastic remark. The President, who was tired out by his zealous efforts and repeated failures, at length forgot himself so far as to reproach Moreau with having failed to denounce Pichegru! He had already addressed a similar reproach to Rolland; but in his case the taunt was only an ingratitude, in that of Moreau it was an indiscretion, all the more

imprudent and clumsy because its direct tendency was to increase the public displeasure, already aroused by the preceding disclosures.[7]

We have now seen how little events had corresponded, during this highly important sitting of the tribunal, to the hopes of those for and by whom this monstrous scheme had been concocted. What followed was still more to the honour and glory of Moreau, and displayed him under an aspect of nobility, dignity, and courage which was perhaps his salvation. Had he succumbed in the struggle, it would have adorned his illustrious memory and placed his death among the number of the great crimes by which tyranny has established itself and reigned upon earth.

On the following day, 11th Prairial—the fourth sitting—the President opened the proceedings by referring to two clauses of the law of the 3rd Brumaire, by which the spectators of a trial before judges were forbidden to give any outward signs of approbation or disapprobation. A precaution of this kind, taken to prevent the renewal of the applause, which had been bestowed upon Moreau at the preceding sitting, was an indirect announcement that the President was about to return to the charge against the general; also that in the interval between the two sittings he had received fresh orders from the Government to insist upon the questions which had already been put to him, and also instructions to repeat them to better purpose.

[7] [Marg. note.] "Add what must have been Bonaparte's anger at the sensation created by the revelation of the use of torture by the police."

In fact, he did immediately revert to all the charges he had already brought against Moreau, striving to put them more forcibly and speciously than before.[8] The result was even less satisfactory than on the previous occasion. Moreau's answers were given with more pride, dignity, and appropriateness. He ventured to lift a corner of the veil which hid the manœuvres of the police, whose aim and object had been his arrest; he made it plain that Pichegru had not come from London spontaneously, that it had been sought to draw him to Paris, and to make use of him as a go-between, so as to attach him without his knowledge to the cause of the Bourbons. He held Rolland up to public contempt as necessarily either sold beforehand to the police, or willing to purchase his own life at the peril of the lives of others.

He revealed the partiality[9] with which Rolland had been treated during his detention, entirely contrary to law and custom. He remarked that the questions which had been put to Rolland resembled an advocate's pleading rather than a judicial interrogation, and he called attention to the most important and curious circumstance of the examination; this was Réal's urgency in apprising and even proving

[8] When the President asked him how much his pay amounted to, he answered, "40,000 francs," adding, "Do not, I beg, put my services and my pay in the balance." See "Procès," vol. v. p. 7.

[9] "M. Rolland only," said Moreau, "did not come to the Temple; he was sent to the Abbaye to stay with one of his intimate friends; there he saw whomsoever he wished to see—he was at liberty to do so. I saw nobody but the gaolers. It is certain that between M. Rolland's imprisonment and mine there has been a great difference." See "Procès," vol. v. p. 26.

to him that his relations with Pichegru and with Georges were known to the police through a witness whom he did not suspect. Moreau demanded that this invisible witness, this mysterious personage from whom the police derived their first information, should be brought before the tribunal and the men whom he had accused; but the President merely replied that the tribunal never heard police agents as witnesses.

This unexpected appeal, which went to the bottom of the devices of the police, was a very remarkable incident in the trial, and it forced the Government to take a scandalous step, of which I shall have to speak presently.

After Moreau had been examined by the President, came the turn of David, that priestly adventurer whom the police had tried to pass off as the primary agent of the reconciliation between Pichegru and Moreau, and consequently as one of the chief authors of the conspiracy, whose moving principle, and, so to speak, first act, was that reconciliation. David defended himself with the presence of mind of a man who was well versed in revolutionary intrigues, with the confidence of one who thoroughly felt the absurdity of the project of giving him a part in the present conspiracy, and in a tone of decision which conveyed some of the anger and insolence of an irritated person. His defence may be simply and briefly summed up thus: there was nothing secret in anything that he had done to bring the two generals together, and there were at least three persons who had had more to do with those proceedings than Moreau himself, and had taken a greater interest in their success. One of the three sat in the "Conservative

Senate," the second was a member of the Ministry, and the third was chief of the staff of a force stationed at Brest, and intended, as was said at the time, for a descent upon the coast of Ireland.[1]

The rest of the sitting was devoted to taking evidence upon the cases of several among the accused who were regarded, with a good deal of probability, as direct agents of Georges Cadoudal. They were, however, very obscure persons, and the charges brought against them, even if they had been perfectly well founded, which was not the case, were not sufficient to lead to their condemnation. Of the number were Hervé,[2] Le Noble, Rubin Lagrimandière, Deville, and Armand Gaillard, who all agreed in steadfastly denying the facts that were imputed to them, and sustaining before the judges the character they had assumed and the part they had played before the police.

Two of the accused deserve, however, a special mention. They are Roger and Coster Saint-Victor.

We must bear in mind that in addition to complicity with the conspirators on trial, Roger was accused of being the author of the "infernal machine" of the 3rd Nivôse. The police considered that they had a superabundance of proof of these two accusations; they had four witnesses for each fact.

The first four witnesses appeared together, to attest that, being in London, they had there known the two men, Picot and Le Bourgeois, who were condemned

[1] Barthélemy, General Déjean, and General Donzelot.

[2] Hervé, born at Rennes in 1743, had been a shoemaker in the Queen's own regiment before the Revolution. He took part in the civil war in Brittany, fled to England, and was at Quiberon. He was acquitted.

to death with Querelle by court-martial, and whose death had been the signal for the police to raise a cry and make their concerted movement against the present conspirators. From Picot and Le Bourgeois, who were shot in consequence of being denounced by the police, they alleged that they had learned the fact of Roger's having made the machine of the 3rd Nivôse, and that he was to make a second, to be used or the same purpose as the first. Of all the scandalous incidents in this strange trial, none was more scandalous than this appearance of four persons whose character as spies of the vilest kind—if there be any distinction to draw between men of this sort—before a tribunal whose President listened to their depositions with an air of solemnity, and received them with eagerness, while they denounced one of the accused on the testimony of two men who were dead, sold by them to the police, and immolated almost in the dark. And then, to put the finishing touch to this exhibition of blind ignorance of public opinion, or contempt alike for it and for justice, the accusation founded upon so odious a pretext had nothing to do with the offence for which Roger was being tried. The indignation of the spectators at this scandalous perversion of law and justice was evident, and would have made itself loudly heard, only that their fear was a still stronger feeling. It was not two hours since the President had stated that the tribunal was not permitted to receive the depositions of police agents.

Roger met these accusations by a single plea in defence. He declared that he had a declaration (affidavit) to produce, drawn up by a notary, which

proved that on the 28th Nivôse, year IX., he was at Rennes; and that on the 2nd of the same month, the day before the explosion of the infernal machine at Paris, he was likewise at Rennes, where he had seen and conversed with the Prefect and the general commanding in the department. He informed the judges that the document in question was in the hands of the Director-General of Police. A few days afterwards the judges condemned Roger, without having taken any record of his plea, or demanded cognizance of the justificatory proof which had been notified to them.

With respect to the proof of Roger's direct complicity in the present conspiracy, it must be remembered that a deposition had been made by four gendarmes placed as a guard over him, and that the Instructing Judge had drawn up this deposition in such a way as to make it appear that Roger had confided to them his connection with the conspirators, the part he had taken in their designs, and that he had named Moreau, Pichegru, and Georges as the chiefs of the conspiracy. These four gendarmes were called to support their deposition; the two first modified and extenuated their statements so much that they reduced them to almost total insignificance. Nothing, indeed, was proved by them except the treachery by which the depositions had been obtained, and the faithlessness with which they had been reported.

But the examination of the third gendarme brought about a very strange scene and some unlooked-for disclosures. When this man had repeated his declaration in terms nearly equivalent to those employed in

the written deposition, Roger cried out loudly, and with passionate anger, "The accusations of this man are false; two days ago he came to beg my pardon for them." Thereupon a vehement altercation between Roger and Leroy, the gendarme, arose, with the result that Leroy was proved to have in truth asked forgiveness from Roger for having transformed what had been nothing but an insignificant conversation, got up by the persons who repeated it, into a serious and positive confidence. The man acknowledged, in the face of the judges and the public, what in his repentance he had already told Roger, namely, that he had found his deposition falsified in the Act of accusation. The fourth gendarme corrected his statements just as the other three had done, so that all the proofs arrayed against Roger were reduced to nothing, and the police found their treachery exposed, with great risk of losing the fruit of it as well.

The examination of Coster Saint-Victor by the President turned almost entirely upon his alleged complicity with the authors of the attempt of the 3rd Nivôse. As for his complicity in the present conspiracy, that was supported by evidence so futile that had he been tried before an honest jury, it could never have been proved against him, but it was treated as if it established capital charges by a tribunal which had become the instrument of an oppressive power, and was as treacherous as it was absolute. The defence of this unfortunate young man served only to prove his innocence, and to bring out the fatality of his destiny. The whole of his criminality, or at least all that was proved of it, consisted in his having wished



to save Saint-Réjant, who had been condemned as one of the chief culprits in the affair of the 3rd Nivôse. He hardly knew this man, and was not his accomplice. In order to give him warning of his danger, and of the police proceedings against him, Saint-Victor addressed himself to a woman who had given shelter to Saint-Réjant, and whose own interest it was that he should not fall into the hands of the police. All that Saint-Victor did, from a simple motive of generosity and zeal for royalism, was imputed to him as a proof of direct complicity with Saint-Réjant. The woman to whom he had given warning of Saint-Réjant's danger was arrested, with her young daughter, and a declaration which implicated Saint-Victor in the attempt of Saint-Réjant was torn from her by threats. Seized with remorse for what she had done, or driven wild by terror, this woman lost her reason, and on returning to her home, on being dismissed by the police, she threw herself out of a window, and was killed on the spot. This tragic incident had occurred three years previously, and it was the daughter of the wretched woman who now repeated the statements against Saint-Victor which had been proved to demonstration to be false, and had reduced her mother to despair, madness, and suicide.

With each answer made by the unfortunate Saint-Victor, the general interest in him waxed warmer. His demeanour was calm and self-possessed; he repelled the charges brought against him with firmness combined with decorum, and the forms of respect for the judges.[3] Only once did he yield to the in-

[3] "I appeal not only to the Royalists whom I have commanded, but to the Republicans whom I have fought, and I

dignation that filled his soul; this was when he heard the four spies who had done to death Picot and Le Bourgeois, use those two victims as the medium of accusation against Roger, who had been his friend from childhood.

It was remarked that during this and the preceding hearing, some of the judges had addressed special questions to several of the accused. The nature and spirit of these questions proved that the tribunal was at this point divided into two opposite parties. It was very likely that each of these had partially penetrated the secret of the matter before them, and at least vaguely discerned how much of this conspiracy really appertained to the interests, the enmity, and the projects of the conspirators, and what the Government had done to expand and direct those projects, to guide them, and by astute contrivance turn them to its own profit. The one party ventured to ask questions which tended to confirm their suspicions of the secret part which the Government had taken in the conspiracy; the other, on the contrary, being eager to find those guilty whom the Government desired to condemn, so directed their questions as to lead the accused into admitting certain particulars which would compromise them, but which the police had failed to prove in the course of the trial, notwithstanding the carefully arranged evidence. This disposition was particularly noticeable with respect to Moreau; it was evident, when the point to

know no one who will reproach me with having behaved ill. Look at me; I have not the face of an assassin; I have not the bearing of a man who has to reproach himself with any crime." "Procès," vol. v. p. 209.

be cleared up was the first rendezvous of Pichegru and Georges with Moreau on the Boulevard de la Madeleine, and the famous conference of the latter with Rolland. Bourguignon distinguished himself especially by the skill with which he put captious questions to Moreau.[4] I name him because, of all the judges of the tribunal, he was the best able to divine the mystery of iniquity in which he was called upon to act as a judge. It was not two years since he had carried off a prize, offered by the National Institute, for the best essay upon the advantages of the jury system and its better organization.[5]

Such were the most marked peculiarities of this sitting. I have not mentioned some very positive retractations made by witnesses, because they related to facts of little importance in themselves, and were of a kind to which the spectators had become accustomed very early in the trial, indeed from the first day.

Accordingly as these things took place within the narrow precincts of the tribunal, they were reported throughout Paris; and public curiosity, kept constantly on the alert by the fresh revelations that were made daily, was entirely absorbed in the news of the trial. Day by day the general interest in Moreau became keener, deeper, and more plainly manifested.

[4] Bourguignon-Dumolard, born at Grenoble on the 20th of March, 1760. He was Minister of Police from the 23rd of June until the 20th of July, 1799, and was replaced by Fouché. He afterwards became a judge of the Criminal Tribunal in Paris, and then a judge of the Special Tribunal. He was the author of several works on law.

[5] His three "Mémoires sur les Moyens de perfectionner en France l'Institution du Jury" appeared between 1802 and 1803.

The approaches to the tribunal were more and more crowded, and the people devoured with silent avidity all the details that were more freely circulated where the retailers could escape the eyes of the police.

On the other hand, the police neglected no means either of preventing the details of the trial getting out to the public, or of lessening the effect of what they could not succeed in concealing. The first measure that had been taken from the opening of the proceedings was the issuing of a prohibition to all the journals to publish any reports except those furnished by the police authorities. Then an agent was placed in the body of the court with orders to take notes of the pleadings and the progress of the trial; these notes were submitted to the Director-General of Police, and a copy was forwarded to each newspaper, so that the twelve or fifteen which had survived the 18th Brumaire all contained the same account of the same event. It is hardly necessary to say that in these uniform bulletins, drawn up by authority of the Superior Police and under their eyes, the facts were distorted in the strangest way; that the most scandalous incidents of the trial were either travestied with the utmost impudence, or passed over in silence; that the accused were treated with irony and insolence in proportion to the interest with which they had inspired the public, some by their innocence, others by their courage and firmness. So far was this faithlessness carried, that several of the accused were forced to address complaints and protests to the tribunal, of course vainly, and with the sole effect of recording the extent of the scandal that

gave rise to them, and the irresponsible power of its authors. The President replied coldly that justice had nothing to do with the newspapers, and could not undertake to rectify their errors.

These precautions, however, could only impose upon the distant parts of the country; the effect they produced upon the Parisians was to strengthen their incredulity, and to lend additional credit to the testimony of those who had been present at the trial, and who reported what they saw and heard there, adding their suspicions and conjectures concerning all that they could only surmise from appearances.

The greater the uneasiness and uncertainty that prevailed respecting the fate of Moreau, the stronger was the general desire to divine it, and the more it occupied the public mind. No one doubted that the Government had the power to condemn him, but it was the opinion of many that they would not push things to that extremity, after all that had come to light of the intrigues which had preceded and followed his arrest. Others, on the contrary, believed him to be all the more inevitably lost because of the clearness with which his innocence was coming out; presuming, from the character of his oppressor, that he would consider it more to his convenience to consummate an injustice which had become evident, than to allow his victim to live in the enjoyment of the respect and honour which persecution will always secure to those who suffer from it, even on the part of the most perverted and corrupt.[6]

[6] [Marg. note]. "The part taken by Murat in this matter, and the sort of personal interest which he had in the condemnation of Moreau, deserve to be recorded. He attended several

Another rumour was in brisk circulation about this time, and occupied the public mind all the more because it did not, like the former ones, arise from private sources, but was purposely spread and kept up by the agents of the supreme authority. This rumour announced that the Emperor would pardon Moreau, if he should be condemned, and its purpose was, no doubt, to lessen the interest of the public in his fate, by dispelling the idea of his danger.

The family and friends of Moreau had, however, cause for keen and constant anxiety; for theirs was founded not only upon a more immediate and personal interest in Moreau, but upon a more positive knowledge of his position and the real intentions of his enemies. The result of the few attempts which they had ventured to make on his behalf must have increased rather than allayed their fears. All that had been learned of the leanings of the judges showed that the majority of them sided with the Government. Appearances pointed to the intention of forming a party to save Moreau by main force; but those appearances, which a few days later assumed a more serious form, as I shall have occasion to relate, were rather indicative of the gravity of the danger than a remedy for it. Things were in this

sittings of the tribunal, and slept, it is said, at the Palais on the night of the judgment. Had he not a quarrel with Lecourbe or Dessoles?" A fresh note, which is not in the same handwriting, adds that Murat's quarrel was with Macdonald. "He refused to fight; he did more, he went and told Bonaparte."

Lecourbe, who had served under Moreau in the campaign of 1800, took a decided stand in the affair, and on several days accompanied the general's wife to the court. General Dessoles had also served under Moreau.

position when Moreau's wife resolved, although with great reluctance, to make a visit to Madame Bonaparte, who for the last ten days had been called "Her Imperial Majesty." She clearly foresaw that her visit would be useless, resolved, as she was, to say nothing unworthy of the noble character which her heroic husband had displayed before the judges, to speak only of justice, and not to invoke mercy.

The new Empress, who preserved the womanly virtue of compassion for the misfortunes of others, received Madame Moreau with much affability, and many demonstrations of kindness. She expressed her regret that a step which, as she gave her visitor to understand, might have been efficacious, had it been taken earlier, had been put off for so long. This was the sole result of the visit. Madame Moreau did not speak to Bonaparte; but, if I remember rightly, she received an answer through a third person to the effect that it was too late for any one to come and talk to him about Moreau. He was talked to about Moreau, however; that is quite certain. There were persons who, whether impelled to do so by secret interest in Moreau, or by sincere zeal for the new Emperor, leading them to fear the chances of a trial which seemed to be of ill augury to him, ventured to counsel him to interrupt the proceedings, send Moreau to his home before his innocence was more incontrovertibly established, and pardon all the other "conspirators," especially Georges Cadoudal, precisely because he was the one among them whose condemnation he might most easily procure, without appearing to commit an injustice.

Bonaparte answered only by feigning to doubt that

it would be possible, or at least proper, to take persons out of the hands of the judges after they had once been committed into them. Nevertheless, he did not absolutely reject the idea of granting a pardon to Moreau, should he be condemned; but with respect to Georges and his accomplices, he kept silence.

In the midst of all these rumours, well or ill founded, the Criminal Tribunal was proceeding rapidly with the trial of the conspirators. On the 12th Prairial fourteen prisoners were examined. Among this number was Joyant, aide-de-camp to Georges, and the man to whom the police attached most importance next to him. Every movement of Joyant had been watched by spies, and his former relations with Fresuières, Moreau's secretary, had been the occasion of some of the grievances imputed to the latter.

Joyant's conduct before the judges seemed to be modelled on that of Georges Cadoudal. He was accused of having joined in the plot of the 3rd Nivôse, and most of the questions put to him turned upon this charge. He confined his reply to a formal denial of the offence, and declared that he would not answer in detail to any of the charges brought against him with respect to it, until he had been apprised that a special indictment had been drawn up against him on that point. As regarded his complicity in the present conspiracy, it was proved that he had at his disposal considerable sums of money, and that he had distributed portions of those sums among certain persons who were political "suspects," while he had sent other portions into Brittany to men noted by the police as enemies of the Government, who still

cherished a hope of renewing the civil war in the west in favour of the Bourbons. He steadily refused to name any of the persons with whom he had been connected, even in matters altogether apart from a "conspiracy," and he was one of those among the accused who dwelt, with the utmost irony, and in the most formal manner, upon the singularity of their being prosecuted for having wished to overturn the Republican Government, by a man who had himself just destroyed it, and made himself hereditary emperor of the nation.

Datry and Burban, who had been arrested with Joyant, denied everything, as he had done, and the proofs of their complicity were not so strong. It was proved in the course of the examination that they had been horribly ill-used when they were arrested at a house in which they were hiding, and that they had offered no resistance to the violence with which they were assailed.[7]

Three others, who had been arrested together, were examined in succession. The most important fact in the admissions that had been extracted from them by threats and torture, was that the money found

[7] On the 4th Germinal an inspector and a commissary of police, accompanied by six gendarmes, went to the Rue Jean-Robert (now included in the Rue des Grevilliers) to search a house occupied by a married couple named Dabuisson. They had searched the premises in vain from top to bottom, when they came by chance on a hiding-place in which Joyant, Datry, and Burban were concealed. In order to make them come out, the gendarmes fired several pistol-shots, which attracted an immense crowd. The incidents of this arrest gave rise to a long discussion. Dabuisson, his wife, and Spin, a carpenter, who had contrived the hiding-place, were arrested and tried; but they were acquitted. See "Procès," vol. i. p. 275; vol. iii. p. 282; vol. vi. p. 184.

upon them had been distributed among them by the English Government when they left England for France. They retracted this statement before the judges, or rather, they corrected the duplicity with which the police had drawn up the report of their answers, by declaring that they had not received money from the English Government, and that they did not know whether the money given to them did, or did not, come from that source.

Historical impartiality obliges me to pause at the examination of two prisoners who had played only a subordinate part among those connected with Georges, and who were probably not even in that chief's secret. These were Troche and his son. (They were subsequently acquitted.) The latter had gone to England with an agent of Georges, and he returned shortly afterwards with all the accused who had formed the first landing party discovered by the police. As he was born on the coast of Normandy, and possessed information respecting persons and localities, he had been very useful in the landing, and so soon as the passengers had been safely deposited upon land, the young man's father came to his aid in procuring for them every kind of service that could be required by persons who wanted to get into Paris without being found out by the public authorities.

The proceedings of the party who had landed first, from the moment they set foot on the shore to that of their arrival in the suburbs of Paris, were substantiated by proofs which would have sufficed to procure their conviction by a jury; and all the circumstances of the journey revealed hostile intentions towards the Government on the part of the travellers. The precautions

taken for disembarking by night at a desert place on the coast, the concealment on reaching land, the continuance of the journey by night only, the halt at refuges secured beforehand, and the assumption of false names,—all indicated men to whom it was of the utmost moment to escape the vigilance of the police. The names of these men, their political character, their well-known devotion to the cause of the Bourbons, the conjuncture which they had chosen for coming to France, formed a series of presumptions against them of great gravity and probability, approaching to certainty. It is true that these presumptions rested only upon six or seven of the accused, among whom Georges, Joyant, and Armand Polignac were the only ones who were, so to speak, suspected beforehand by the Government. But it was also proved that Georges had come to Pichegru immediately on the latter's landing, and that circumstance confirmed the hostile character of the intentions of those who had landed first. The least suspicious of Governments might have regarded such a coincidence of events as the preliminary movement of a conspiracy, provided always that those events had not been either provoked or seconded by the Government itself, with a secret object, and by a system of profound and astute perfidy. The part of the proceeding which established the facts now in question, and the result of the discussion that took place before the judges, did then prove clearly that Georges and several of those who were accused with him had come to France with the intention of attacking the Consular Government, or at least the Government of Bonaparte, under whatsoever name it

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On the 13th, the whole day was taken up with the examination of the accused. I shall not try to give an idea of that sitting, at which the most obscure among the accused were dealt with. There was nothing to prove that any of them had any knowledge of the intentions of the principal persons; it was, indeed, proved that most of them knew those persons under false names only. So that there would have been nothing remarkable in the events of the day, had it not been for the complaints of brutal treatment made by the accused. Horror was felt by all when Denise Lamoine, a girl of fifteen, against whom there was not the slightest evidence of complicity, and whose sole part in the trial was that of a witness, revealed before the judges, the prisoners, and the public, that she had been thrown into a dungeon, and laden with chains. She was hardly able to stand, and her feet were still sore from the pressure of the irons. One dramatic incident marked this sitting; it was the presence of Captain Wright,[9] the commander of the vessel in which Georges and Pichegru had come to France. By a

[9] John Wesley Wright's life was an adventurous one. He had been taken with the famous Commodore Sidney Smith at the mouth of the Seine in April, 1796, and confined with him in the Temple. The two prisoners made their escape, and John Wesley Wright went to serve under Smith in Egypt. In 1803 and 1804 successively he landed Georges, Pichegru, and other confederates at the foot of the cliff of Bivelle. About the 10th of May, 1804, three weeks before the opening of the trial, he was taken, after a sharp fight with the corvette which he commanded, off the coast of Morbihan, and recognized at Vannes by Brigadier-General Jullien, who had seen him in Egypt. He was sent to Paris. When he appeared before the tribunal, he was again a prisoner in the Temple, and as he was wounded, the President ordered him to sit during his examination. His end was tragic. The capitulation of Mack affected him so deeply that he cut his throat on the 27th of October, 1805. See the *Moniteur* of the 30th Floréal, year XII.

strange chance his ship had been wrecked on the coast of France during the "instruction" of the case against the accused. He was taken prisoner, identified, and sent to Paris. It was thought that his presence would produce a great effect, and serve to prove the complicity of the British Government with men who had been brought to France in an English ship, and by an officer of the English fleet. Wright declared with pride and decision, which the President did not even try to overbear, that he was bound to give an account of his conduct to his own Government only, and that to all questions put to him he would answer nothing, claiming the observance of the laws of war towards prisoners. The only thing he said—and this he certainly was not asked to say—was that the police had threatened to have him brought before a court martial and shot, if he refused to make the admissions required of him.

At this stage, the trial presents itself under a new aspect. All the accusations had been heard and discussed, and the manner in which this had been done, the violence and falsehood to which the police had resorted in order to make the conspiracy, which they pretended to have merely discovered, appear more widespread and dangerous, promised the accused but little latitude for their defence.

The next stage in the proceedings was the hearing of witnesses for the defence. Twelve were heard at the sitting of the 14th. The only evidence for the defence worth quoting was that of the Abbé Sicard in favour of the Abbé David, his intimate friend. He deposed before the judges that he had been acquainted with all the steps taken by David to bring about the

reconciliation of Moreau with Pichegru, and with all the correspondence which had ensued upon the project, and that in all he had known and read, he had never discerned any intention beyond that of bringing together again two men who had long been friends, but without founding any hope or any political scheme upon their reconciliation. The other witnesses, who spoke in favour of some of the obscure prisoners only, gave information of importance.

Perhaps it would not have been extraordinary that the principal persons among the accused, men who had been proclaimed to be "brigands" beforehand, should have found no witnesses in their favour; perhaps, also, it was to be presumed that men who did not deceive themselves as to their fate, and felt that their salvation depended less upon the convictions of their judges than upon the will of their enemy, would have scorned the vain resource of demanding that witnesses who could not save them from a condemnation which was a foregone conclusion, should be heard in their favour. But this was not so; it seemed as though these men regarded it as a duty to resort to all the forms by which the lives of accused persons are protected, only to make their death appear more tragic. Almost all of them called witnesses for the defence, on more or less grave facts among those with which they were charged, and by a striking singularity the most notable of the accused called men who were high in dignity and in favour with Bonaparte as witnesses for them.[1]

Georges invoked the testimony of Fouché and one

[1] [Marg. note.] "One of them was the chief weaver of this web."—Fouché is meant.

of the principal agents of the Ministry of Police, to prove that Picot, who had been shot with Le Bourgeois, and was represented as an emissary of Cadoudal's, had undertaken to assassinate him, and had obtained pardon the first time on that condition only. David had summoned Barthélemy the senator and Generals Donzelot, Déjean, and Macdonald to depose to the correspondence maintained by him with Pichegru, with which they were acquainted. In short, thirty witnesses for the defence were summoned to appear before the tribunal, or rather, were named by the accused to be summoned.

Not one of them appeared. Some presented themselves at the tribunal several days in succession, and could not get themselves admitted to make their depositions. Some were distinctly refused on the part of the President, others were dismissed under pretexts which left no doubt about the predetermination not to hear them. The scandal was greater and more audacious in the case of those witnesses who filled Government posts. They were forbidden by the Emperor, or on his behalf, to obey the summons sent to them. Some did not attempt to assign any pretext for this outrage upon justice and humanity. Others excused themselves for not responding to the summons of the tribunal. Barthélemy was among the latter; the letter which he wrote on the subject was read aloud in court. He contented himself by saying with simplicity (*naïveté*), upon which I shall not offer any comment, that the obligation he was under of going to the court at Saint Cloud prevented his attending the court. Thus did this man, whose mean cowardice

condemned him to a continual sacrifice of his affections and his political opinions, expiate the crime against Bonaparte of having interested himself in the fate of General Pichegru at a time when no one could have foreseen that the general would be inscribed upon a list of "brigands" and assassinated in a dungeon by those who had placed his name upon that list.

Moreau also intended to call personages highly placed in the imperial Constitution as witnesses on his behalf. Above all his intention was to have it clearly proved that previously to the 18th Brumaire the members of the Directory had proposed to him that he should place himself at the head of a party which desired reform in things and persons, and should accept a post equivalent to that of Dictator. It is evident that such a means of justification was too indirect and too distant to be of real utility to Moreau; it would not even have proved his refusal of the dictatorship to be inspired by love of his country and of public liberty, since a short time afterwards he had consented to act as the subordinate auxiliary of Bonaparte when he overturned the Constitution of year III. But the incident which Moreau wanted to bring about would at least have been curious.

It is asserted that Moreau's family had Siéyes personally asked whether he would consent to appear before the tribunal, to declare that he had proposed a dictatorship to Moreau, and that the latter had refused. Siéyes answered that he would not attest any such fact. The fact was, however, well established, and it is difficult to conceive that Siéyes

should have preferred to deny the truth, instead of simply waiting for the imperial order that would save him from the obligation of telling it. This political occasion is the only one on which Siéyes emerges into sight, after the famous day on which he supported with his utmost eloquence the Senatus-consultum by which one hundred and thirty persons were condemned to transportation as authors of the attempt of the 3rd Nivôse.

The precautions for the abridgment of the evidence of witnesses for the defence were so effectual, that the hearing of it occupied a few minutes only, and now the moment had come for Gérard, the "Procureur Impérial," to speak, and state his conclusions.

That was a solemn moment for the accused, for the public, and for the judges. The imperial functionary opened his speech with political remarks and a diatribe against the House of Bourbon, enunciated with inflated pomposity which would have been merely ridiculous in the mouth of a rhetorician, but was odious in that of a magistrate whose duty it was to present the facts in all the simplicity and precision of truth. He placed in magnificent contrast the destiny of the ancient reigning dynasty of France, with that of the new imperial dynasty, pointing to the fall of the one as the result of its corruption and decrepitude, magnifying the creation of the other as the fruit of the heroism of its founder, and the result of the exercise of the national will. With even greater violence than in the act of accusation he imputed the present conspiracy to the English Government, adding only that the real aim of that Government in conspiring against France

had been entirely to destroy and devastate the country, so that it should no longer be a rival to the commerce and a counterpoise to the ambition of England, and that the restoration of the Bourbons was but a pretext for its machinations.

He took it for granted that the judges were so convinced of the reality of the conspiracy, that he was absolutely bound not to dwell upon the proofs of it, for fear, as he said, of appearing to think that they could have a doubt, or that the evidence presented anything of the nature of a problem.

Instead of discussing in detail the part which each of the accused had taken in the conspiracy, he was satisfied with dividing them into classes, and examining the kind and degree of offence committed by each class. In the act of accusation he had defined only three classes, this time he instituted a new subdivision, and made out five classes of conspirators.

The substance of his speech was of a similar kind. No fresh proofs of the conspiracy were added to the first; he did not appear to have tried to present the former in a new light. He merely gave a more positive tone to his assertions, and made his language stronger and more precise; the effect was that the pretence of the whole affair was made more glaring than before, and its falsehood more revolting. For, instead of modifying those assertions of the act of accusation which had been manifestly disproved in the course of the trial, he repeated them with additional emphasis. For example, it was still Lajolais who, going several times to London in the capacity of Moreau's ambassador, had

arranged for the arrival of Georges Cadoudal in France; it was still Moreau who had sought Pichegru in London by deputy. Not only did he persist in saying that Moreau and Georges had met upon the Boulevard de la Madeleine, but he again affirmed, more positively than ever, that they had conferred together, and depicted the effect which their conference had produced upon their minds. In short, it had been of no avail to any of the accused, that they had cleared themselves, more or less completely, from the charges brought against them; the accusations were, so to speak, cast in a mould of iron, and could be neither revoked, modified, or re-formed upon better information and more favourable appearances. Lastly, the Procureur displayed the utmost confidence in the mental attitude of the judges, placing before them the decision which they were about to form as an act whose political consequences would secure the destiny and the welfare, not only of France, but of Europe. "Attentive Europe," said he, "will recognize in it a monument of wisdom which history will transmit to posterity." After that, he concluded by demanding the penalty of death against all the accused, with the exception of four of the most obscure; to those the police could afford to allow justice or clemency to be shown.

This summing-up produced a terrible impression upon the spectators, and that impression spread rapidly throughout Paris. It was believed, rightly, that the Government had spoken by the voice of the Procureur, and it was supposed that this preliminary utterance gave the measure of the

imperial wrath against the accused. There was some foundation for this feeling, but the public did not reflect that the Emperor was demanding so many victims in order to get the credit of clemency towards some of them; nor was it known that several of the judges were resolved to be guided by the voice of conscience only.

The time had now come for the counsel for the accused to speak in their defence. The advocates were fatigued by the length of the proceedings; they had hardly had time to prepare their defence, having expended so much in endeavouring to procure materials, which they were refused, and they were taken by surprise by the summing-up of the Procureur Impérial, by which a much greater number of the accused were threatened than they had expected. Under these circumstances, the counsel for the defence—Dominanget, who was to defend Georges, acting as their spokesman—requested that the sitting might be adjourned until the following day so as to give them time to recruit their energies and prepare their argument. They were granted a delay of two hours, but were then obliged to speak.

Under such circumstances, the part played by the counsel for the defence was at once brilliant and perilous. They became to some extent direct actors in this event, and, in that capacity, objects of keen curiosity to the public. It was felt only too surely that their efforts would not avail to save the life of the accused; but to prove their innocence, and to confer the tragic honours of oppression upon their fate was to do much.

The pleadings for the defence lasted for nearly six

whole days, from the 14th to the 19th Prairial. This was not much time to be given to the defence of so large a number of accused persons, but it was a great deal in the eyes of the Government; for the prolongation of the case meant proportional uncertainty of the result. A few words will suffice to give a general idea of the plan of defence with which the advocates met the indictment. The counsel for the most important of the accused, those towards whom the intentions of the Government were quite unmistakable, denied the reality of the conspiracy, and applied themselves to proving that the offence imputed to their clients did not combine those characteristics which distinguish a conspiracy against a Government from all other crime. They endeavoured to show that the projects of the most deeply incriminated prisoners amounted simply to a thought, a mere idea, lacking several of the conditions necessary to put it in action, and that it had not been manifested by any act, or by any event making it recognizable, and rendering it liable to a judicial demonstration.

The counsel for the subordinate accomplices of the principals, persons who had furnished them with lodging or rendered them services of other kinds, tried to prove that even on the hypothesis of the certainty of the conspiracy, their clients were not accomplices in it; that the relations which were construed into a crime were not of a nature to lead to the supposition that they were in the confidence of the conspirators; that there was no proof of the existence of any such confidence, and that the utmost offence with which this class of the accused could be charged was

having allowed themselves to be deceived by persons who had secured their services under assumed names.

It was a more difficult matter to defend those prisoners who, either from timidity or venality had been led into making avowals to the police by which their fellows were compromised. However, as these men, while accusing and declaring their own complicity with others, had been careful to assign pretexts and motives for it which were susceptible of a favourable interpretation and left room for justification, their advocates were enabled to develope and make use of the means they had themselves furnished in their statements to the police.

Some of the advocates whose clients were not very seriously compromised, urged that the hardships of a prolonged imprisonment, and the losses incurred as a consequence of arrest, constituted a more than sufficient punishment for an offence which, they presumed, could not be seriously regarded as complicity in a conspiracy.

Such was the general plan on which the defence was conducted. But in the carrying out of it, each advocate availed himself of peculiarities and special circumstances; some of these are worthy of mention. Almost all, even those who had most reason to believe that they had proved the innocence of their clients, felt that to have justified was not to have saved them, and made a solemn appeal to the clemency of the Emperor. Some quoted the example of Cæsar, others that of Augustus, and one even reminded his hearers that Marcus Aurelius, having acquired positive proofs of a plot formed against his life, made

friends for himself of the conspirators by pardoning them all. Some of those who listened to these historical parallels regarded them merely as flights of oratory; others, gifted with greater keenness and penetration, discerned in them covert satire and an intention to contrast the conduct of Bonaparte with that of the great personages to which he was compared.

Another equally remarkable feature of the defence was the praise bestowed upon Moreau by most of the counsel for the accused.[2] By some he was compared to Catinat; but they did not venture to say openly that he was more unfortunate; for Catinat had only been subjected to the ingratitude of Louis XIV., while Moreau had incurred the enmity and jealousy of an upstart emperor.

Another went so far as to compare him to Scipio, and declared that he was no less unjustly accused, but had defended himself better. Lastly, a third, bolder than the foregoing, described him as a new Aristides who had wearied a certain person with the renown of his great worth. In the heat of the public interest in the fate of Moreau, no one thought of examining the extent to which these comparisons were just; it seemed that his danger had suddenly made him the equal of the most illustrious victims of injustice and tyranny.

There were other features of the defence which deserve mention. Several of the advocates indulged in tirades against the English Government, equally violent and uncalled for. On this point, indeed, they

[2] Lajolais protested on the 15th Prairial against the "panegyric" on Moreau pronounced by his (Lajolais') counsel. See "Procès," vol. vi. p. 324.

seemed to aim at rivalling the Procureur Impérial, or those demagogic orators of 1793, who thought nobody could truly love the French Republic without making a profession of enmity and execration towards England, or at least the rulers of England. That the counsel for the defence in this case should have adopted this line was all the more singular, because they could not accuse the English Government of all the crimes which they imputed to it, without giving Bonaparte, by the fact, a great advantage in his proofs of the conspiracy.

Some of the counsel had the courage to complain indirectly of the ill-treatment and torture to which several of the accused and witnesses also had been subjected. Others revealed those facts by a studied reticence which could not fail to produce an effect upon the hearers, whose indignation was already aroused. The subordinate agents of the police were roughly handled; scorn and hate were apparently heaped on their devoted heads, but really fell on those of men whom nobody dared to name.

Others, with no less courage, plainly avowed their regret and misgiving at having to defend their clients before the judges, directly, and not before a jury.

I will add that in general the counsel for the defence did honour to themselves in this grave conjuncture by their zeal and courage. In general also they brought forward valid and natural arguments for the accused, which if advanced to a jury, before an independent tribunal accustomed to respect the letter of the law, would have entirely disposed of the greater part of the accusations, and weighed what was just and grave in the remainder.

Several displayed both sagacity and talent. All wished to be eloquent, and that ambition, naturally appertaining to the profession that defends the life and honour of citizens, was all the more legitimate on so solemn an occasion. Only a few, however, rose to anything that could be called real eloquence; most of them made a ridiculous use of certain formulæ which are more frequently mistaken for eloquence at the bar than elsewhere. To none of them did it occur that the position in which they were placed rendered eloquence impossible, even had they possessed that gift; for its primary condition is that the speaker shall be able to speak his whole mind, and free to manifest all his impressions. Now these advocates were obliged above all, in defending the accused to praise the accusers, and to clear their clients of the crimes that were imputed to them, without revealing those that had been committed against them. Moreover, apart from this latter consideration, their defence never could be complete or absolutely satisfactory. No one, in short, could doubt that the chief persons among the accused had entertained a project for the overthrow of Bonaparte, if they had not formed any real conspiracy, and the only means of fully exculpating them was by telling and proving all that had been done by Bonaparte's police to encourage and expand this project, so as to lend it a formidable appearance, without incurring any risk of its being carried into execution.

The version of the speeches for the defence was flagrantly falsified in the police reports both in the letter and the spirit. Especial care was

taken to turn the proofs of the innocence of the accused into ridicule.

It is hardly necessary to observe that this method of defence was met with strenuous opposition on the part of the President of the tribunal. There were, in fact, very few among the counsel who were not called to order on the pretext that they were wanting in respect towards the judges or the Government, and who were not threatened with being prevented from defending their clients. Cotterel, Lajolais' counsel, who had charge of Roger's case also, was one of those who especially provoked the wrath of the President and the Procureur Impérial. He was silenced before he had concluded his argument in either of the cases. Speaking of the two Polignacs, in his defence of Lajolais, he said that they prided themselves upon the confidence of Artois. Lajolais himself trembled at the boldness of his defender, and hastened to refute his statements, so important was it for his safety that he should be feebly defended. The second time, he went so far as to say that Roger had always "walked in the paths of honour," without, however, asserting that he had not been mistaken in the line he had adopted. These two assertions formed the pretext for the President's severity towards him. The truth is, that the judges devoted to the Government had been offended by the general tone of this advocate's speeches; it was he who compared Moreau to Aristides.

A still more unseemly incident took place in the course of the defence of Coster Saint-Victor, when Gauthier, pointing out the trivial nature of the alleged

proofs of the conspiracy, went so far as to predict that a conviction based upon such feeble testimony, would not be upheld by the opinion of either the nation or posterity. Thereupon the Procureur Impérial, interrupting the counsel and addressing the judges, severely denounced the defenders of the accused in general, and Gauthier in particular. He represented the conduct of the advocates throughout the whole course of the trial as a scandalous offence against the dignity of the tribunal, and even against that of the Government. He taunted the counsel for the defence with ignorance and inexperience in a most insulting manner, and concluded by reminding the tribunal that it possessed a right, and was bound by an obligation, to silence advocates who violated the respect due to the magistrates.

So stern an admonition could not be ineffectual. Silence was imposed upon Saint-Victor's counsel, who pulled off his cap and gown in the presence of the audience, and, addressing his client, took him to witness of the violence that was done to him, and, relinquishing the case, wished the unfortunate young man, who seemed to be pursued by an evil destiny, a more eloquent or a more fortunate defender.

I shall deal with the defence of Moreau separately, on account of the difference of his position, and in order to give a distinct view of the circumstances that concern him personally. Moreau formed, as it were, the Gordian knot of the trial; all the exertions and the whole solicitude of the Government bore upon him.

It was known that all the other accused persons must perish or be saved, according to the good

pleasure of the Government, and that it would be a mere matter of a little more or a little less of arbitrary violence in their condemnation. They had no party, and they inspired no more than the barren kind of pity produced by mingled wrong and misfortune. Moreau's plight was not so sad; he had the ardent good wishes of the entire nation for him, and the strenuous efforts of his family and some friends. He also had the good fortune of finding that the enemies of Bonaparte and the imperial Government still believed that the Republic might be restored, if only a propitious opportunity of attacking this man, who had destroyed it, were seized. No opportunity could seem more propitious than the present.

The chance was certainly a hazardous one, because there is a vast distance between enmity wrathfully muttering in the shade, and that kind of sturdy resolution that comes out and dares a great danger. Certain favourable conjunctures had, however, rendered Moreau's position an object of dread to Bonaparte. Several elements combined to authorize the hope that Moreau could not be sent to the scaffold, without an attempt being made to save him, and any attempt of the kind might be turned into a decided attack upon Bonaparte.

Men who had figured in the deeds of the Revolution, among them some from Moreau's own part of the country, had formed little coteries, and discussed the means of snatching Moreau out of the hands of Bonaparte. But those means reduced themselves to the possibility of the men in question mingling with a movement, in the case of its being initiated by others, which it was not in their own power to incite.

Only a portion of the army could do this, and Moreau had friends zealous enough for his defence, and sufficiently inimical to Bonaparte, to endeavour to stir up a party for him in the army without his own knowledge. The result of their exertions was perhaps more favourable than could have been hoped; several officers, stimulated by public opinion, pledged themselves to risk all for his cause. And some of the number were able to serve him the more efficiently, because their position removed all suspicion of connivance, and nevertheless permitted them to approach him. A considerable body of men, among the soldiery stationed in the environs of Paris, seemed to be entirely devoted to Moreau, and had offered to receive him among them if he could escape, and to conduct him with speed to a nucleus of the troops then dispersed along the coast. Communications had previously been established, and sufficient security that the corps would declare for Moreau had been obtained.

It would be rash to predict what would have been the result of the execution of this plan. But let us reflect that the men who had formed it were well known to the country and to the army, that the popular ferment was at its height, the troops still in astonishment at the contrast between the destinies of their two generals, one of whom, in having himself proclaimed Emperor, had just sacrificed the other to his jealousy and his safety; let us remember that nothing had yet been done to make the soldiers forget that it was in the defence of the Republic they had taken up arms, shed their blood, and won renown; that the Emperor and all the pomp with

which he had surrounded himself was of hardly twenty days' date, too short a term to render him imposing, even to the French; lastly, that no one had forgotten the assassination of the young Duc d'Enghien; that not only was Napoleon I. as yet unrecognized by foreign powers, but that it was probable he never would be recognized by the most influential among them, and that already storm-clouds seemed to be gathering upon the horizon of the new Empire. Recalling those facts, it will be difficult not to fancy that Moreau, suddenly appearing from his prison at the head of an army, would have produced a commotion strong enough to overturn or seriously shake the throne of Bonaparte.

A circumstance which I believe to be authentic, and which is not the least singular feature of this event, will show how great was the readiness to form a party for Moreau. Certain of the persons most strongly interested in the general, and who best understood the great advantage that might be taken of his position for the deliverance of France from Bonaparte, found means of getting at Georges in his prison, and speaking to him at a moment when they could not be overheard. They ventured to make some suggestions of the possibility and the chances of a conspiracy more real and more fortunate than his own. "Save Moreau and act with him," was the unhesitating reply of Georges, and to that answer he added the offer of a considerable sum in case the resolution to attempt something should be come to. That was the money which the police knew Georges had in his possession when he landed, but which had escaped them, notwith-

standing all the efforts they made to seize a prey which they prized next to the capture of his person. The strange confidence went no farther. I am at a loss what judgment to pronounce upon the conduct of those who risked the making of such suggestions; but if Georges' answer be authentic, it does honour to the strength and truth of his nature. No ordinary man would have interested himself in an enterprise which could not save him, on behalf of political views which were not his own, lying as he was in a prison to which the failure of a personal conspiracy had consigned him, only because the proposed cause was one that had more of loyalty and less of shame. Whatever may have been the probability of success for all these attempts in favour of Moreau and liberty, those who had made them found means to convey the information to Moreau. An exact and detailed account was given him of the interest that was inspired by his misfortunes, and the hatred with which his oppressor was regarded; he was apprised of the increasing ferment of public opinion, and told that a great conflagration might at any moment be produced by a spark. The officers who had agreed to devote themselves to securing his safety, and to make common cause with him, were named; the corps, quartered close to Paris, who undertook to escort him rapidly to the camp where the chiefs were only waiting for him to place himself at their head, to declare in his favour, was designated. Lastly, he was informed of the measures that had been taken to secure his escape from prison, and told what he would have to do to second those measures, which, he was assured, were

easy and certain. Moreau refused his assent to this plan. I will not venture to characterize that refusal. But when we consider how many great deeds have been done under less happy auspices for an end less worthy and less glorious, and from motives less urgent, we cannot but accuse Moreau of weakness, and an excess of prudence. However, after such a decision, no course remained to his friends except that of saving him, in spite of himself, so to speak; and this course tended rather to their own ruin than to his rescue.

While these things were passing, unknown to the police, they were continuing to take every possible measure to secure the fulfilment of the Emperor's desire, and vainly trying to keep their efforts secret. They had not foreseen the general ferment, and they knew not how to repress it.

The evident interest felt in Moreau by the counsel for his fellow-prisoners, the spontaneous homage rendered to him, made it easy to imagine with what zeal his own advocate would plead so fair a cause. If, hitherto, men who for the most part were reputed to be fierce "brigands" had aroused so much courage in their advocates, and so much interest in the public, what would a general do who had adorned the Republic with so many victories, and whose virtues, even the doubtful ones, were exaggerated, since he had become the object of hatred to an all-powerful enemy? I do not know whether the police had taken steps to secure respectful language and silence upon as much of their perfidy and cruelty as they had been able to discover on the part of the counsel for the accused in general, but they certainly did not

neglect that precaution in the case of Moreau's defender.[3]

A day or two before he was to open the defence, the Grand Judge summoned him to his presence, and gave him to understand that the Government relied sufficiently upon his prudence and discretion to apprehend nothing on his part that could hurt its dignity. Bonnet replied that while he would neglect nothing that could clear General Moreau, he did not think he should have anything to say that could offend the Government.

On the 16th Prairial, the third day of the defence, the turn of Moreau's counsel came. The court was more crowded on that day than it had yet been, and the spectators patiently endured the stifling heat, in their intense interest in what was about to happen.

All eyes were fixed on Moreau, and he could not turn his own in any direction without remarking friends among the crowd, who were endeavouring to attract his attention.[4] Some of his brothers-in-

[3] Louis Ferdinand Bonnet, one of the most highly-esteemed lawyers of his time. He was born at Paris in 1760, and died in 1839, as Counsellor to the Court of Cassation.

[4] Among these was General Lecourbe, who, as we have already said, accompanied Moreau's wife to the court on several occasions. He gave rise one day to an affecting scene, which Bourrienne, who attended the trial assiduously, narrates as follows:—"I seem still to see General Lecourbe, that faithful friend of Moreau's, coming suddenly into the court, accompanied by a small child. He stooped, lifted the little fellow in his arms, and cried in a loud but agitated voice, 'Soldiers, behold the son of your general.' At this unexpected appeal every man in the crowd who was a soldier rose spontaneously, and presented arms to him, while a murmur of applause arose from the entire assembly.

"Assuredly, if Moreau had said a word at that moment,

arms, who had shared his victories, ventured to salute him by gestures, and this action was immediately reported as a crime to him who had the power to punish it. Even among his fellow-prisoners there were several who, gazing fixedly at Moreau, seemed to forget their own proper peril, and to be spectators only of the solemn scene. It was particularly remarked that Georges Cadoudal, whose calmness had been totally undisturbed while the tribunal was occupied with himself, looked at Moreau with anxiety and emotion.

An incident by which all the spectators were struck, will give an idea of the extent to which enthusiasm and regard for Moreau were carried. Two gendarmes standing upright at either side of him, with uncovered heads, and with an air of profound respect, the President ordered them to put on their hats and sit down. They pretended not to have heard him; he reiterated the order, with no more success than before. Moreau, at length, perceiving the President's intention, requested the two gendarmes to be seated; they still refused. He then ordered them to sit down, and they obeyed. It seems to me that posterity will regard this act of respect for Moreau, the prisoner about to be judged as a brigand by a tribunal devoted to his oppressor, as the greatest of his victories.

Such was the mood of the spectators; all were

the tribunal would have been invaded and dispersed, and the prisoners set free, so great was the enthusiasm in his favour. Moreau kept silence, and he alone appeared to take no part in this movement." ("Mémoires," vol. vi. p. 125.) It is related of Georges that he said on this occasion, "If I were Moreau, I would sleep to-night at the Tuileries."

waiting with manifest impatience for the moment at which Moreau's advocate should take his place at the bar, when suddenly Moreau himself demanded to be heard.[5] He said, "I shall pray you to permit me to say something in preparation for my defence." "You can speak afterwards," said the President. "What I have to say," replied Moreau, "must precede my counsel's argument;" and he spoke as follows:—

"In presenting myself before you, I ask to be heard, for a short time, in my own person. My confidence in the defenders whom I have chosen is complete; I have unreservedly laid upon them the charge of defending my innocence. It is by their voice that I desire to address justice, but I feel the need of speaking with my own to you, and to the nation.

"Unfortunate circumstances, whether brought about by chance or produced by enmity, may cast a shadow upon some moments of the life of the worthiest of men. A criminal may cleverly contrive to divert suspicion and proof of his crimes. The whole of a life is always the surest testimony against or in favour of an accused person. It is, then, my entire life that I oppose to the accusers who pursue me. It has been sufficiently public to be well known; I shall only recall certain epochs of it, and the witnesses whom I shall invoke are the French people, and the peoples whom France has conquered.

[5] Fauriel adds in parenthesis, "Give here the entire speech." But he has not transcribed it, and we give the text, not according to the newspapers, which mutilated it shamefully, but according to the "Procès," vol. vii. pp. 374—382, in which there is a paragraph (the last) omitted in the publication that appeared at the same time under the title, "Discours prononcé par le Général Moreau au Tribunal Criminel Spécial du Département de la Seine." Paris (chez Lebour).

"I was intended for the profession of the law[6] at the beginning of the Revolution which was to found the liberty of the French people. That event changed the purpose of my life; I devoted myself to arms. I did not go and take my place among the soldiers of freedom from ambition; I embraced the military profession from respect for the rights of nations; I became a soldier because I was a citizen.

"I bore that character with the colours; I have always preserved it. The more I loved liberty, the more submissive to discipline I was.

"I rose rapidly enough, but always from rank to rank, never overstepping any, always by serving the country, never by flattering the committees. When I had attained the command-in-chief, when our victories sent us forward into the midst of nations who were our enemies, I was no less careful to make the character of the French people respected, than I was to make their arms dreaded. War under my command was a scourge upon the battlefields only. The nations and the powers with whom we waged war have more than once borne that testimony to me, in the midst of their ravaged territories. This conduct was, in my belief, as well calculated as our victories to make conquests for France.

"Even at the time when opposite maxims seemed to prevail in the committees of the Government, this line of action did not expose me to either calumny or persecution. No shadow had ever fallen upon the

[6] He was "prévôt de droit" at Rennes when the Revolution broke out, and, owing to the influence he had acquired over the students, he played an important part in the disturbances in that town from the period of M. de Brienne's Ministry.

military glory which I had won, until that too famous day, the 18th Fructidor.

"The persons who brought about the events of that day with so much rapidity, reproached me with having been too slow to denounce a man whom I could only regard as a brother-in-arms until the moment when the evidence of facts and proofs made it plain to me that he was justly accused, and not only by unjust suspicion. The Directory, which alone was sufficiently well acquainted with my conduct to judge it fairly, and could not, as everybody knows, be disposed to regard me with indulgence, loudly declared how entirely irreproachable it held me to be. It gave me employment; the post was not brilliant; it soon became so.[7]

"I venture to believe that the nation has not forgotten how well worthy of it I have proved myself; it has not forgotten with what ready self-devotion I fought in Italy in subordinate posts; it has not forgotten how I was restored to the command-in-chief by the reverses of our arms, and re-made general, so to speak, by our misfortunes. The nation remembers how twice over I reconstructed an army of the remnants of those that had been dispersed,[8] and how, after I had twice over put it into a condition to hold its own against the Russians and the Austrians, I twice over laid down the command to take one which was a greater trust.'

[7] The Directory appointed him Inspector-General in 1798, then sent him to Italy in 1799, to reinforce Schérer, an incapable person, who, being overwhelmed by reverses, ended by handing over the command to Moreau.

[8] After Joubert's defeat and death at Novi. He had served under Joubert.

[1] The command-in-chief of the army of the Rhine.

"I was not at that period of my life more republican than at every other, but I appeared a more prominent republican. The attention and the confidence of those to whom it belonged to give fresh movement and new direction to the Republic, tended towards me in a more special way. It is well known that it was proposed to me to put myself at the head of an enterprise closely resembling that of the 18th Brumaire.[1] My ambition, if I had much, might easily have concealed itself under the appearance, or even openly boasted of the reality, of love of country.

"The proposal was made to me by men who were celebrated in the Revolution for their patriotism, and in our national assemblies for their talents. I refused it; I believed myself called to command armies; but not to command the Republic.

"That was enough to prove, it seems to me, that if I had an ambition, it was not directed towards authority and power: soon afterwards I proved this better still.

"The 18th Brumaire came, and I was in Paris. There was nothing to alarm my conscience in that Revolution which was brought about by others than

[1] This is a suitable place to give an idea of the accuracy with which the journals still permitted to exist by Bonaparte, and entirely subservient to him, kept the public informed of the details of this trial. *Le Publiciste* gives Moreau's speech in its number of the 18th Prairial (7th June), but after the words "at the head of an enterprise" (*journee*) it suppresses those which were characteristic, "nearly resembling that of the 18th Brumaire," thus rendering the phrase incomprehensible. It suppresses all the succeeding paragraphs, down to the last but one, beginning with "to trace out this course for me." The second part of the speech is thus made unintelligible, and the readers of *Le Publiciste* could not understand the profound sensation which it had created.

me. It was directed by a man who was surrounded by a nimbus of fame; I might hope for happy results from it. I entered into it to second it, while other parties were pressing me to put myself at their head to oppose it. In Paris I received the orders of General Bonaparte. By having them executed, I assisted to raise him to that high degree of power which circumstances rendered necessary.

"When, some time afterwards, he offered me the command-in-chief of the army of the Rhine, I accepted it from him with as much zeal as from the hand of the Republic itself. My military successes were never more rapid, more numerous, more decisive than at the period when their lustre was shed upon that Government which accuses me.

"On returning from the scenes of all these achievements—the greatest was the having effectually secured the peace of the Continent—the triumphant soldier was greeted with acclamations that are a national recompense.

"What a moment to choose for conspiring, if such a design had ever entered my mind!

"The attachment of troops to the chiefs who have led them to victory is well known. Would an ambitious man, a conspirator, have let slip the opportunity, when he was at the head of an army of one hundred thousand men, who had been so often victorious, and when he was returning to the midst of a nation still disturbed and always trembling for its principles and their duration?

"My only thought was to disband the troops, and I retired into the repose of civil life.

"In that repose, which was not devoid of glory, I

enjoyed my honours, no doubt—those honours of which no human power can deprive me: the remembrance of my deeds, the testimony of my conscience, the esteem of my fellow-countrymen and foreigners alike, and, if I may say so, the sweet and soothing foretaste of the judgment of posterity.

"I was in the enjoyment of a fortune which was large, only because my desires were not extravagant, and which was no reproach to my conscience. I had my retired pension also; assuredly, I was content with my lot, I, who had never envied the lot of any. My family and some friends—all the more precious because, as they had nothing to hope from my credit and my fortune, they could but be attached to myself alone—these possessions filled my whole mind, and neither desires nor ambition found any entrance into it. Would it be accessible to criminal projects?

"This state of mind was so well known to be mine; it was so amply vouched for by the distance which I maintained from all the aims of ambition, that from the battle of Hohenlinden until my arrest, my enemies have never been able to find, nor have they sought, any other crime whereof to accuse me, except the freedom of my speech. Well, it has often been favourable to the actions of the Government; and if sometimes it has not been so, was I to think that such liberty was a crime, in a country which had so often affirmed by decree that thought, speech, and the press are free, and had enjoyed a great deal of liberty even under its kings.

"I was born with a very frank disposition, and I have never been able to rid myself of that attribute of France, in which I was born, either in the camp, where

it flourished more than before, or in the Revolution which has always proclaimed it a virtue in the man and a duty of the citizen. But do those who conspire blame what they disapprove quite so loudly? Such candour is hardly reconcilable with the plots and mysteries of politics.

"If I had chosen to concoct and carry out plans of conspiracy, I would have dissembled my feelings, and endeavoured to get every post which would have replaced me amid the forces of the nation.

"I never possessed political genius to indicate such a course to me, but there were well-known examples which had been rendered conspicuous by success, and I had but to consider them. I know very well that Monk[3] did not go away to a distance from the troops when he planned his conspiracy, and that Cassius and Brutus drew near to Cæsar previously to stabbing him.

"And now, magistrates, I have nothing more to say to you. Such has been my character, such has been my whole life. In the presence of God and man I affirm the innocence and integrity of my conduct; you know what is your duty; France is listening to you, Europe is observing you, and posterity awaits you.

"I am accused of being a brigand and a conspirator. The generous gentleman who has undertaken my defence will, I hope, convince you presently that such an accusation is ill-founded."[4]

Moreau's address, delivered in a calm and dignified

[3] He names Monk, no doubt in allusion to the already-mentioned pamphlet by Fontanes.

[4] As we have already said, this paragraph is not inserted in the "Procès."

tone, produced an effect which it would be difficult to describe, and left a deep impression, to which it was no longer possible to add anything, on every mind. This profession of republican sentiments, when the Republic had just been invaded, like an hereditary property, by the man who was pursuing it

(By the Editor.)

The last page of Fauriel's manuscript ends with this unfinished sentence. For the second time the task of supplying what he has left unsaid devolves on me. Before I proceed with the narrative of this dramatic trial, so ably depicted by him, with its moving incidents, and in its flagrant iniquity, I must ask permission to go back for a while, and borrow a few touches which will lend additional effect to Fauriel's picture, from unpublished documents which I have met with in the course of my researches.

In the archives of the Prefecture of Police there are a number of boxes, inscribed "Affaire Cadoudal," and containing the documents relating to that part of the "instruction" which was entrusted to the police. In one of these boxes I found the confidential reports of the agents who were sent by the Prefect to attend the court each day, and report to him upon the aspect, impressions, and talk of the public. One of the most interesting of these reports—they were, I need hardly say, entirely distinct from those upon which the lying accounts sent daily to the papers were founded—is that of the first sitting of the tribunal on the 8th Prairial. The agent writes:—

"The public manifested extreme curiosity to see the accused, who were ranged on four benches, and in the order laid down in the act of accusation.

"At the sight of Georges there was a considerable sensation, and some sounds of indignation were uttered.

"There was also noticeable eagerness to see Moreau, but when he appeared, or when he answered to his name, nothing unusual occurred. He answered very low; he could not be heard, indeed, and silence was observed then, as it was when the other confederates were called.

"The four ranks of prisoners, all separated from one another by a gendarme, presented an imposing appearance, and this first sitting was orderly.

"Among the accused some were scrupulously well dressed, and all, with the exception of five or six (more especially among those who had harboured the brigands), showed a great deal of coolness; in the faces of some the carelessness of a criminal whose mind is made up was to be read. Georges, in particular, wore such an expression.

"Rusillion's face wore a constant smile.

"The Polignacs, too, saluted some persons who sat opposite to them, with a cheerful, smiling air.

"D'Hozier looked hard, bold, not in the least disconcerted.

"François de Rivière was conspicuous for his impudence of air, of manner, and of look.

"Picot answered to his name with the utmost boldness; he looked like a determined ruffian all through the sitting.

"Roger Loiseau, who affected an exaggerated

neatness in his dress, wore an equally offensive air of insolence.

"But Coster Saint-Victor surpassed all the others in this respect. He held his head up, his look was as firm and cruel as that of a bird of prey, he bit the back of his nails while the act of accusation was being read, and at each imputation he would smile contemptuously, and with a negative or affirmative shake of head would seem to say, 'That is true,' or, That is not true.'

"An insolent smile also sat upon the face of the girl Hizay, while the act of accusation in her case was being read.

"Almost the same might be said of Pierre Jean Cadoudal.

"These persons looked at one another and smiled, when the charges in which several of them were jointly implicated were read.

"A foreign captain of a ship was brought in and placed on a seat in front of one of the benches occupied by the witnesses; he wore anchor buttons and a black cockade; this individual was said to be Thomas Wright."

The natural prejudice against men who had been stigmatized as "brigands" subsided by degrees during the progress of the trial; so that in reference to the examination of Coster Saint-Victor, whose intrepidity never faltered for a moment, although he felt himself doomed to certain death, the agent does not hesitate to say: "He has much impressed the public by his candour and his courage in acknowledging his unalterable attachment to the Count d'Artois and the cause of the princes. He has borne

all the charges brought against him by the witnesses and others without accusing anybody."[5]

He has to record, a few days later, that the defender of the Polignacs "made the hearers *and even some of the judges* shed tears, and that there arose in the court a prolonged murmur of approbation of the two prisoners whom he defended with great ability."

At the sitting of the 10th, when Picot revealed the fact that he had been tortured, "that," says the agent, "made some impression upon the public. One heard the words 'this is horrible' in the crowd. A witness deposing against Picot said, when his being or not being armed was in question, 'It was I who discovered his powder-flask.' A voice in the crowd said, 'That witness wants to get into the Legion of Honour.'[6]

"Lastly, when Picot's declarations, against which he protested to-day, were read, it was said by the spectators that they were too well written, and rendered in terms too well chosen to be those of a mere servant." It might have been added, of one who could neither read nor write!

It was on the morning of the 14th that the speeches for the defence began, and that the advocates were called to the tribune; for it was really from a tribune that they delivered their addresses on behalf of their clients. In Paris the anxiety was extreme,

[5] His attitude must have been very irritating to the judges on more than one occasion. We gather this from certain details of this report that are not given by the stenographers. On one occasion a judge said, "Prevent the accused (Coster) from prompting Mérille in his answers." After the deposition of the girl Jourdan, the President said to Coster, "You ought not to have spy-glasses." He replied impudently, "I use them on the witnesses."

[6] It is known that the cross of the legion was given to one of those who arrested Georges.

and we find in the following note, written on the same day by a peace officer named Chahonety, an echo of the rumours that were circulating everywhere.

"People who trouble themselves to reason base their prophecies of the condemnation of the greater number of the accused, upon two major political points. The facts put forward are: (1) The death of the Duc d'Enghien; (2) The conduct of the Russian ambassador.[7]

"They say that the French imperial Government, not choosing to yield to any foreign influence,[8] would rigorously carry out the project of totally destroying the Bourbons and their satellites." The Russian ambassador's "conduct" was certainly calculated to exasperate Bonaparte. According to the same note, he presented himself in black clothes at a reception, and, the Emperor having asked him for whom he was in mourning, received this firm and startling answer: "For the Duc d'Enghien, Sire, by command of my Court."

I will now resume the narrative at the point at which Fauriel left it, on the 16th Prairial, after Moreau had spoken, and endeavour, by means of the reports of the police agents, to give an account of the final sittings of the court.[9]

The general had no sooner done speaking than he

[7] Count Markoff.

[8] "An hour after Moreau's arrest became known," says a report written at the moment, "the ambassadors sent extraordinary despatches to their courts. The Emperor, and especially the Archduke Charles used their influence with the First Consul on behalf of Moreau."

[9] His speech, according to the report of an agent, was printed the same day; and on the morrow, between the two sittings, it was distributed gratis in the court.

was applauded by a great stamping of feet; for no one ventured to clap hands, since an arrest had been made on one of the preceding days;[1] and Bonnet, his defender, was immediately summoned to the tribune. He spoke at greater length than any of the others, and his close and powerful argument produced a sensible impression upon the hearers. We can see from the following passages that the envoy of the Prefecture of Police shared that impression, and conveyed it with sincerity.

"Bonnet having quoted a passage in the examination of Rolland by the Instructing Judge, in which the judge said to Rolland that if he did not state all he knew respecting the accomplices in the conspiracy, he would be regarded as their adherent, instead of their confidant, the reading of this passage made an impression on the public. They were of the opinion of Moreau's counsel, who declared that the judge's manner of interrogating Rolland had forced the latter to answer against Moreau. In the case of his charging him, he (Rolland) would be regarded as a confidant only; in the contrary case he would be an accomplice."

When Bonnet asked whether there were many of the accused who, like Rolland, had obtained permission to go out of the prison? "the Procureur Général having made some observations, murmurs and exclamations arose among the crowd, and were repeated when he thought fit to check the advocate for describing the Government of the Directory as 'detest-

[1] On the 10th Prairial. After a scornful answer from Moreau, "applause," says a report, "arose among the spectators, and Madame Martignac was immediately arrested for having applauded, and taken before Réal."

able.'" The following made an impression: "General Moreau who is for nothing in the affair. For nothing? No, I am wrong. General Moreau who is for nothing but a refusal." In the discussion upon the point of the non-denunciation, "the orator produced the profoundest impression upon his hearers. Extreme attention was given to this induction." Lastly, the advocate's summary caused "a very remarkable sensation. It was quite evident that a deep impression had been made upon the public by the defence."

The counsel for the defence were very indignant with the President and the Procureur Général, who constantly addressed admonitions to them that were as ill-received by the spectators as by themselves. "Some of them were quite disheartened in pleading the causes committed to their charge; others gave it to be understood that after the trial was over, most of them would appear no more at the tribunal."

The accused were not all so fortunate as to have defenders so skilful and so eloquent as Bonnet; more than one of the advocates broke down completely, not only in ability, but in tact and judgment; and on reading the report of the speeches for the defence, we see that the agent has appraised them correctly. The counsel for J. P. Cadoudal "raised a laugh several times by saying that his client, who was a gardener, had gone to England only to learn the art of English garden-making, that he was a fool, &c." "Monnier and his wife were defended by a man whose name I do not know (Boyeldieu), but who wore every one out by his prolixity and his endless repetitions. He caused a laugh several times." Collier

who defended Denant and his wife, "pleads in so pitiable a fashion that all the other counsel express their surprise by a murmur, and the public manifest their astonishment plainly."

The speeches for the defence came to a conclusion on the 19th Prairial. In the afternoon of the same day the accused were heard in their turn, and there was an affecting contest of generosity between the Polignacs, each brother trying to save the life of the other at the cost of his own. The hearing of the accused also occupied a short time on the following morning. But it was only eight o'clock in the morning when the judges retired to the Council Chamber. They resumed the sitting at four o'clock in the morning on Sunday, the 21st. The accused were brought up, and the President read the judgment aloud to them.

Twenty were sentenced to death. The following is a list of their names; the eight last mentioned did not suffer the capital penalty.

Georges Cadoudal.	Merille.
Louis Ducorps.	
Louis Picot.	Bouvet de Lozier.
Roger, called Loiseau.	Rusillion.
Coster Saint-Victor.	Rochelle.
Deville.	Armand de Polignac.
Joyant.	Charles d'Hozier.
Burban.	De Rivière.
Lemercier.	Lajolais.
Lelan.	Armand Gaillard.
P. J. Cadoudal.	

Five were sentenced to two years' imprisonment. These were:—

General Moreau.	Rolland.
Jules de Polignac.	The girl Hizay.[2]
Léridan.	

Five were sent back to be brought before the Police Correctionnelle. These were:—Denand and his wife; Dubuisson and his wife; Vernet.

The others, sixteen in number, were acquitted.

The deliberation of the judges lasted for twenty hours. The cause was their long and animated discussion of Moreau's case. By a first vote the judges had pronounced his acquittal, but they were forced to withdraw that vote by a flagrant illegality One of the judges, a brother of General Lecourbe, has revealed to us what then took place in the Council Chamber. He drew up a statement immediately, for his own satisfaction, but he published it on the 22nd of April, 1814, the day before the entry of Louis XVIII. into Paris.[3]

We extract the following passages:—

"On the 21st Prairial, year XII., at noon, the court, taking the cases of the accused in their order, began to discuss the case of General Moreau.

"M. Thuriot, the Instructing Judge and reporter, spoke first. He dwelt at great length upon the facts charged against Moreau, and ended by declaring him

[2] The words of the sentence are, "Considering that, although they are guilty of having taken part in the conspiracy, the instruction and the discussions of the trial show that circumstances which rendered them excusable existed, &c."

[3] "Opinion sur la conspiration de Moreau, Pichegru, et autres, sur la non-culpabilité de Moreau, et procès-verbal de ce qui s'est passé à la chambre de conseil, entre les juges, relativement à ce général, par M. Lecourbe, juge en la cour de justice criminelle de Paris. 23rd Avril, 1814." This pamphlet is very scarce.

to be guilty, and that he was for condemning him to death, according to Article 612 of the 'Code des Délits et des Peines,' being, he added, convinced that the convict would not be put to death, but would receive a pardon.

"M. Damenve pronounced an opposite opinion. He fully stated its grounds, and said: 'I have not been able to collect myself sufficiently to discuss before you all the facts for the prosecution and the defence; but, voting on my oath, in my soul and conscience I believe General Moreau to be innocent, and I am for an acquittal.'

"M. Clavier, having read a paper in which he fully stated the grounds of his opinion, declared himself of the same mind as M. Damenve.[4]

"M. Granger, who coughed, and spoke very slowly, relied on a great number of the facts which had been acknowledged to be either false or inaccurate (facts, indeed, relinquished by even the Procureur Général and the reporter) to prove Moreau guilty, and he urged the capital sentence.

"M. Selves, whose turn it then was to speak, rose, left the room for a while, and came back to give a verbal opinion. He arrived at the same conclusion as Granger and Thuriot.

"M. Laguillaumie, having stated the grounds of his opinion, declared that he did not consider the general guilty, and he voted with Clavier and Damenve.

"M. Lecourbe, with equal explicitness, declared that he was for the acquittal of General Moreau.

[4] It was probably then that Clavier exclaimed, "And we?—who will give us a pardon?" Clavier, a very learned Greek scholar, was Paul Louis Courrier's father-in-law.

"M. Bourguignon voted with Thuriot, Granger, and Selves. He was especially anxious to controvert the reasons which were assigned by those who took the opposite view; but his arguments came from his head and not from his heart.

"M. Rigault voted with Lecourbe, Laguillaumie, Clavier, and Damenve, after he had very ably stated his reasons.

"M. Desmaisons said, "In my soul and conscience I believe General Moreau to be not guilty, and I am for acquitting him." [5]

M. Martineau voted with the above mentioned who were for the acquittal of General Moreau.

"Lastly, M. Hémart, First President, voted guilty, with Thuriot, Bourguignon, Selves, and Granger. He afterwards put forward a number of considerations of a political kind and affecting public order, to bring over the majority who had voted 'not guilty' to his opinion, if possible.

"Several judges then claimed to be heard. M. Lecourbe observed that there were seven votes against five, and therefore General Moreau was acquitted; the matter was at an end, and they must now proceed to discuss the culpability of the next person according to the order of the indictment. Thereupon arose a great commotion. President Hémart threatened to break up the discussion; he refused to close the debate, and forbade M. Lecourbe to speak. The latter then summoned Frémyn, the clerk, to draw up the judgment, and declared him

[5] Desmaisons was Corvisart's brother-in-law, and very intimate with Bourrienne. See the "Mémoires" of the latter for the service which Bonaparte wanted him to do him with Desmaisons.

responsible for his refusal to fulfil the law. More discussion, and fresh clamour. Hémart again threatened to break up the discussion, and retire, and again forbade Lecourbe, Regand, and those who were for the majority to speak. He called on the reporter; the judges in the majority kept quiet, in the fear lest some unfortunate event might occur, and consented to listen to Thuriot. The latter applied himself to blackening the picture, and Hémart helped him. They spoke alternately; they did not venture to say, 'It is our will that you should condemn him; you are in a position which forces you to a condemnation;' but they gave this clearly to be understood. Believing themselves to be organs and confidants of the Government, they endeavoured to inspire their colleagues with the hopes and fears which they themselves experienced; they threatened, they actually announced, that a civil war would be kindled in France, which would mean the overthrow of the existing Government by the acquittal of General Moreau. Thuriot added: 'You desire to set Moreau at liberty; but he will not be freed; you will force the Government to make a *coup d'état*, for this is a political rather than a judicial matter, and great sacrifices are sometimes necessary to the safety of the State.' Granger repeated the latter sentiment in a more forcible form, giving it to be understood that in such a case *even an innocent person ought to be condemned.*"

"It was nearly eight o'clock in the evening; the judges dined in the inner room of the Council Chambers, resuming the discussion after dinner. There had been, however, during dinner much coming and

going, private colloquies, and resort to the President's cabinet."

"At length, after much debate, a second discussion took place, and a compromise was effected, by which a majority of eight votes sentenced Moreau to two years' imprisonment."

Lecourbe adds the following note :—

"It is well to observe that, during the deliberation before and after supper, there were several officers in the President's cabinet, adjoining the Council Chamber, and especially General Savary ;[6] also that Thuriot went out several times and held colloquies with them and M. Réal."

The colloquies, the comings and goings, which secured the annulment of the first vote, were brought about by a strange letter, full of falsehoods, written by the Emperor—who was informed of what was going on, and alarmed by it—to Cambacéres, the Grand Chamberlain. This letter gives an idea of the furious passion which possessed Bonaparte, of his contempt for justice, and the extreme pressure which he brought to bear upon the members of the tribunal.

"St. Cloud,
"20th Prairial, year XII. (June 9th, 1804).

"MY COUSIN,—The judges began to deliberate

[6] We may judge how trustworthy the "Mémoires du Duc de Rovigo" are, by the terms in which Savary speaks of this judicial deliberation. He says, "It has been generally said that the members of the Criminal Court, thoroughly knowing Moreau's republican opinions, had given him the benefit of them, and that a brother of General Lecourbe (a partisan of Moreau's), who was one of the judges, had, assisted by M. Fouché, gained several votes for Moreau. *I know nothing about it*, but something of the sort must have taken place." ("Mémoires du Duc de Rovigo." 1829.)

this morning at eight o'clock. During this time, Rivière, Armand de Polignac, and Bouvet de Lozier have pronounced their defenders to have deceived them by telling them that by saving Moreau they would oblige the court to declare that there had not been any conspiracy, and it was for this reason that during the trial, all, from Georges down to the least of the accused, spoke in the same sense. The countenance of the court has undeceived them, and they saw that the manner in which they have conducted themselves might save Moreau and not them. *Either for these reasons or for quite others*, they sent a request to the Instructing Judge (Thuriot) to be permitted to make fresh declarations. The Instructing Judge, who was sitting, could not receive them. M. Réal sent some one, and *it seems* they have stated that, instead of three interviews between Moreau and Pichegru, there were five, and that, in short, they have made fresh charges. I wish you to send me to the Procureur Général, who should go to the prison, as the judges are in consultation, demand to be admitted to the sitting, and state to the court that he has to inform them of a new order of things, the conduct pursued towards the accused, and their fresh declarations. You will feel the importance of these steps, especially after what Savary will tell you.[7] In any case, it seems to me requisite that the Procureur Général should take cognizance of these latter facts, and should state them to the court.

" For the rest, I am not sufficiently familiar with this matter to overrule your opinion. But in a conspiracy

[7] See preceding note (6).

against the State, the sentences being not yet pronounced, it ought to be at the option of the court to resume its sitting; and, indeed, the statement made by the Procureur Général to the assembled court, were it in writing only, would have the effect of being joined to the procedure, and giving room for the formulation of a sentence more conformable to justice and the interests of the State."

We may readily imagine how the writer of this letter and his satellites took the verdict of the tribunal upon Moreau, who had been proclaimed irretrievably lost, by the Government hacks, Murat, Maret, the future Duc de Bassano, Regnaud de Saint-Jean d'Angely, &c., &c.

"I was at Saint Cloud," says Madame de Rémusat (in her "Correspondance," vol. ix. p. 495), "when the news arrived. Everybody was in consternation. The Grand Judge had rashly pledged himself to the First Consul that Moreau should be condemned to death, and Bonaparte was so deeply displeased that it was impossible for him to disguise his feelings. We have seen with what vehement fury he received Judge Lecourbe, the general's brother, who had spoken very forcibly at the tribunal for Moreau's innocence, at his first public audience on Sunday. He drove him from his presence, calling him 'a prevaricating judge,' without any one's being able to guess what signification he, in his anger, attached to that expression. Shortly afterwards he deprived him of his post."

She adds, a little later: "I observed among a certain party in the town, much rejoicing over the result of this event, which was insulting to the Emperor."

According to his custom, the Emperor endeavoured

to throw the blame of everything upon the members of his Council whom he had consulted before he gave orders for the prosecution. "These animals," said he to Bourrienne, "declare to me that it is impossible to fail in getting a capital condemnation; that his complicity is evident, and now *they put me off with a pickpocket's sentence for stealing handkerchiefs.* What would you have me do with him? Keep him? He would still be a rallying-point; let him sell his goods, and be off out of France. What should I do with him at the Temple? I have enough of them without him."[8]

He ordered Moreau's family to sell his property, bought a portion of it, and made Berthier a present of the estate of Gros Bois, and the day after the execution of Georges Cadoudal and his companions, (the 25th of June) the *Moniteur* announced the departure of the conqueror of Hohenlinden for America.[1]

Georges Cadoudal and eleven others who were sentenced to death, and the girl Hizay, who was sentenced to two years' imprisonment, had appealed to the Court of Cassation. On the 4th Messidor (23rd of June) the court rejected their appeal, and on the following day the unhappy men were guillotined at the Place de Grève. The newspapers generally limited themselves to a mere announcement that the convicts had suffered their penalty, but the *Journal des Débats* gave the following details in its issue of the 26th of June:—

"The condemned men were transferred last night,

[8] "Mémoires de Bourrienne," vol. vi. p. 157.
[1] "Mémoires de Madame de Rémusat," vol. ii. p. 19.

under an escort of gendarmes, from Bicêtre to the Conciergerie. Very early in the morning the letters of grace granted by the imperial clemency in favour of eight of the convicts were brought to the Court of Criminal Justice. The decree of that court, confirmed by the Court of Cassation, against Georges and the other eleven condemned men, was signified to them after the transfer. They all immediately asked for confessors. Georges knelt at the feet of his, and listened for a long time to his exhortations. At eleven o'clock, the twelve convicts, assisted by their confessors, were placed in three carts which were in waiting. In each cart were four men; at thirty-five minutes past eleven Georges Cadoudal's head fell, the first. Two of the others, Louis Ducorps, and Lemercier, went up to the Hôtel de Ville, came down some time afterwards, and also underwent their sentence. Lemercier was executed the last."

Was Georges the first to die, as the *Débats* states? I have not been able to clear up this point, because the *procès-verbal* of the execution, which must have been kept at the Hôtel de Ville, was destroyed in the burning of that edifice in 1871. I raise this question because I found among the detached notes accompanying Fauriel's manuscript, and in his own handwriting, one which contradicts the *Journal des Débats* on that point, and adds some details of sufficient interest to be given here. The note is full of abbreviations, and has evidently been written in haste, either from the dictation of an eye-witness, or after the perusal of a document which he had in his hands for only a short time.

"At six o'clock in the morning, the Place de Grève

occupied by troops, as well as all the streets through which the carts were to pass—windows hired—Georges much taken up during the journey with a person dressed in black. He is the last to ascend—makes all the signs of a man who wants to make a speech—the beating of drums drowns his words—in the midst of the universal silence he is heard to cry repeatedly until his last sigh, 'Vive le Roi!'"

Ten years afterwards, day for day, on the 25th of June, 1814, a service was celebrated at the church of Saint Paul, in Paris, for "Generals Pichegru, Georges, Moreau, and the eleven persons who perished with General Georges"—thus the *Moniteur*.

"A numerous assembly attended the ceremony, and all manifested a solemn reverence. A collection was made by Madame de Polignac, accompanied by the Marquis de Rivière, who, as it is well known, escaped the fate of the other victims. The service was to have been celebrated at the expense of the relatives of General Georges, but his Majesty, being apprised of this, and being desirous to manifest his interest in the object of the ceremony, signified that he would defray the expenses."

Moreau well deserved to be associated with the former companion-in-arms whose treason he had unmasked in days past, in that funeral ceremony. He had left the distant land to which imperial enmity had banished him, only to go and die in Bohemia, struck by a French bullet in the ranks of our enemies, and to give his triumphant rival the cruel joy of seeing him go down to the grave dishonoured and under the ban of his native land! Unhappy man, he could not wait! If, rejecting fatal and shameful

examples, he could have resigned himself to exile for only a few months longer, he would have seen his proud persecutor hurled from the throne and banished from that country which Moreau would have re-entered with a head held high indeed. Then would the whole nation, recently overwhelmed by disaster, have welcomed the glorious outlaw who had so often led the soldiers of the Republic to victory with acclamation.

APPENDIX.

I.

LETTER FROM GENERAL MOREAU TO THE MINISTER OF WAR (BERTHIER).

Army of the Rhine. Liberty. Equality. Headquarters at Strasburg, 29th Floréal, year IX. of the French Republic, one and indivisible.

The General-in-Chief to the Minister of War of the French Republic.

CITIZEN MINISTER,—The Ordinator-in-Chief and the Pay-master-General were charged to render to you, as well as to the public Treasury, a detailed account of the administration of the army. But the emphasis with which the official journal in its numbers of the 15th and 17th Germinal asserted that no contribution had been levied on Germany, and that all the funds for the payment of the Army of the Rhine had been furnished by the public Treasury, imposes upon me the duty of giving you a statement of the sums received, and their employment.

When I took command of the Army of the Rhine, in the month of Nivôse, year VII. eight months' pay was due to the troops, the distribution of victuals was most irregular—not to say that there was no such thing—and the clothing was in a very bad condition.

I requested the government to regulate the distributions, and to give me only two months' pay. I was acquainted with the state of the Treasury, and I had to limit my demands.

Before entering on the campaign I received two millions (francs), and this sum provided for the most pressing needs.

Six or seven decades of pay were settled; the funds advanced for services gained us credit; and by means of eight or nine millions of debt the distributions were made regularly, the clothing was repaired, and the troops began the campaign of year VII. in tolerably good case, and full of courage and goodwill.

It was not possible to establish regularity in the collection of contributions until after the armistice.

Germany lacking money, it was only through banking operations that we could hope to get them in promptly. In order to meet this expense and all the irregular expenses which are necessary to an active army, I decided that the Paymaster should charge himself as receipts on behalf of the Treasury with four-fifths of the contributions only; reserving it to myself to determine on private bonds the employment of the remaining fifth, which I ordered to be paid into a private account (*caisse*).

You should have received copies of all the *procès-verbaux* of these payments. The Paymaster has also sent them to the Treasury.

The total of these receipts amounts to forty-four millions.

The Paymaster has been charged with about thirty-six millions, on account of the public Treasury.

The funds which I have reserved amount to about seven millions.

The expenditure of the thirty-six millions is composed of about twenty-five millions for pay, and about eleven millions for different services and other regular expenses authorized by the Ordinator-in-Chief.

The expenditure of the seven millions which I have reserved is composed of:—

Costs of negotiating twenty-five or twenty-six millions which have been got in by banking operations only.

Gratuities to the troops, the cost of certain monuments which I have had erected to general officers deserving of commendation who have been killed in battle.

Aid given to certain corps which have suffered more than others.

The payment of a number of accounts due to officers, all of which, though correct, I was unable to regulate with precision owing to certain formal errors.

When I have received these portions of the account opened with myself alone, I will give you any explanation you may desire.

Of the regular expenditure, the Paymaster will render an account to the Treasury, and the Ordinator will have sent you the drafts of all his ordinances.

To resume, the contributions have supplied nearly thirteen months' pay. Thus, supposing that the army had been handed over to me paid up, a single decade would not have been due to it on re-entering France.

I have only been able to give a certain amount on account to all the services, since the liquidations are not made; but those services have been able to pay almost all their debts, and I presume that what remains, which will be probably from 700,000 to 800,000 francs, and which will be paid over to the War Paymaster of the fifth military division, will meet the sums due to them.

The army has been brought back as well equipped as can be desired for troops who have just made a very difficult winter campaign. The infantry corps are as complete as when they went into active service. Several are at 800 or 900 men per battalion, and there is not one under 700.

The cavalry corps are more numerous than at the beginning of the campaign; the resources of the conquered country have furnished their depôts with the means of equipment which they needed. Several cavalry regiments exceed 700 horses.

The artillery has returned in good case, bringing nearly 200 guns taken from the enemy, and close on 3000 more horses than they took with them. The arsenals of Strasburg are provided with wood, iron, steel, &c.

Lastly, supplies to the value of 500,000 francs have been replaced in the stores of the military hospitals.

Be assured, Citizen Minister, that I have put the utmost possible order into the levying of contributions, and that I have not neglected the interests of the Republic, the conquered countries having been taxed as heavily as they could be without violating the laws of humanity.

The General-in-Chief. (Signed) MOREAU.

P.S. The staff and officers without troops have been paid up to the month of Floréal. This represents two millions.

The General-in-Chief. (Signed) MOREAU.

II.

LETTER FROM NAPOLEON TO THE GRAND JUDGE CONCERNING THE PARDON OF ARMAND DE POLIGNAC.

Saint Cloud,
22nd Prairial, year XII. (*June 11th*, 1804).

MONSIEUR REGNIER, Grand Judge, Minister of Justice,—We are sensibly affected by the conspiracy which, with the help of God, and by your vigilance and that of the good citizens, we have been enabled to frustrate. Preserved as we

have been for ten years from dangers of all kinds, we are entitled to think that it would not be in the power of man to attempt our life until Providence should have marked the term of it, and we ourselves will care to defend it only so long as it shall be useful, and we shall believe it necessary to the Great People. We should therefore have cast into oblivion and hushed up the rumour of this conspiracy, as we have done in other cases, if we had not discerned a real danger to the destiny and the interests of the nation, in the peculiar character which, as it seemed to us, has been imparted to it by the intervention of men sheltered under the mask of great services. Many individuals condemned by our Criminal Court have appealed to us; and, either through weakness, or from that sentiment of indulgence which has ever guided us in our government, leading us to pardon the enemies of whom the nation had most right to complain, and which has happily enabled us to reunite, reorganize, and restore to the country more than eighty thousand families, we have been unable to prevent ourselves from being touched by the grief of Madame Armand de Polignac. Besides, we have remembered that we were well acquainted with this young man at school[1] in our early years of boyhood, and it is not to be wondered at that he has forgotten this, in the outrageous attempt to which he allowed himself to be led, since he has forgotten those duties towards his country which under all circumstances should be borne in mind by every Frenchman. We have, then, resolved to take advantage of our prerogative to the full extent, and to grant him the grace of life, charging you to present at our next Privy Council letters to that effect, and we desire that he be, on the instant, transferred to where his brother is.

NAPOLEON.

III.

THE SUBSEQUENT FATE OF THE PARDONED OR ACQUITTED PRISONERS.

On the day of the excution of Georges and his eleven companions, Napoleon sent a note to the Grand Judge ("Correspondance," vol. ix. p. 506) in which he enjoined him to have all those individuals whom the court had sentenced to imprisonment sent off that same night to their several places of con-

[1] "Correspondance," vol. ix. p. 406. For the steps taken to save Armand de Polignac, see the second volume of the "Memoirs of Madame de Rémusat," who played an active part in the matter, and was rather ill-rewarded. This letter apprises us of a fact that was not known, or at least seems to have been forgotten, viz. that Napoleon and Armand de Polignac had been school-fellows. Where? The letter does not say.

finement. Exception was made of Rolland, whose information had been so useful. "He may," says the note, "be left at the Abbaye, having had no connection with the promoters of the civil war, and not having meddled in this affair, except by his relations with Pichegru, who no longer exists."

Spin was ordered to leave Paris on the following day, and the individuals who had been tried and acquitted were, with the exception of some of whom we shall presently speak, banished to forty leagues from the coasts and from Paris, and placed under the superintendence of the police.

The eight condemned men who had been saved from the scaffold by imperial clemency, were, according to the tenor of the "letters of grace" to be transported after four years' imprisonment; but, for lack of a place of transportation, their detention was indefinitely prolonged. One of them, Lajolais,[2] who, notwithstanding his retractations, was none the less severely handled by Fauriel, died a prisoner in the Château d'If at the end of 1808.[3]

I have learned what the Empire did with the seven others who were pardoned from a very important document, for my acquaintance with which I am indebted to M. Georges Picot, Member of the Institute.[4] It is the report of the commissaries who were sent to inspect the State Prisons in 1812, and to receive the petitions of the inmates. We find recorded in this report the cause and date of the imprisonment of each, and the decision of the Emperor on the subject of their requests.

[2] Bourrienne, who had brought the same charges against Lajolais which Fauriel brings, in the fifth volume of his "Mémoires" (pp. 273, 274), has inserted a long note in the ninth (p. 200), from which I extract the following sentences. While acknowledging that "the conduct of Lajolais was perhaps such as to awaken suspicions in the minds of Moreau's friends," and also that "his heedlessness, which he has but too severely expiated, may have borne the semblance of treason at a time when it was so great an object to find traitors," he states from authentic proofs which were placed before his own eyes, that "Lajolais was a more than imprudent accomplice, and not an impelling agent in Georges Cadoudal's conspiracy." What are those proofs? Bourrienne ought to have told us.

According to the *Journal de Paris* of the 11th of June, 1804 (p. 1750), it was Lajolais' daughter, a girl of fourteen, who, having got access to the Emperor, obtained her father's life from him.

[3] Among others, on the subject of the pretended interview of Moreau and Pichegru on the Boulevard de la Madeleine.

[4] The original, which M. Picot had found at the Ministry of Justice, is at present in the National Archives. He has kindly lent me a copy which he had made.

Hardly any of the latter were granted. The following are the particulars which concern the persons with whom we are occupied.

Rochelle and Rusillion were confined in the Château d'If, and also D'Hozier, who, "protesting his fidelity and attachment to the Emperor, desires liberty, that he may devote his life to his service."

Gaillard, who also protests his fidelity and attachment, and Bouvet Lozier, who, being ill, begs in vain to be transferred to a "maison de santé" in Paris, were at the Château de Bouillon (Ardennes).

Armand de Polignac, who had succeeded in getting admission to Dubuisson's "maison de santé" in Paris, "recognizes that he owes this to the generosity of his Majesty, to whom he will be happy to prove his gratitude." His brother, who was condemned to only two years' imprisonment, and ought to have been set at liberty in 1806, but was still immured in the same place, "begs with confidence and respect for the execution of the judgment concerning him, and relies upon the generosity of his Majesty." Both these persons took advantage of the confusion caused by the invasion of 1814 to escape.

The decision of justice respecting the accused who had been acquitted, and whom the President had directed to be set at liberty, according to the law, if there were no other cause of detention against them, was carried out in the case of several of them in the following manner :—

The imperial commissaries found at Ham, Victor Couchery and Noël Ducorps; at the Château de Hervé, Rubin de la Grimaudière and Datry. To their just demands answer is made in a note which states that the Emperor had decided that they were to be detained until peace was made with England.[5]

[5] According to the "Biographie Universelle," supplementary article "Rivière," p. 189, Rivière "obtained the commutation of his sentence through the intervention of Madame de Montesson, and not through that of Murat, who was afterwards given the credit of it." We read in the "Memoirs of Madame de Rémusat" that "Murat, who by his violent conduct, and his animadversions against Moreau, had excited universal indignation, wanted to rehabilitate himself, and obtained the pardon of the Marquis de Rivière."

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